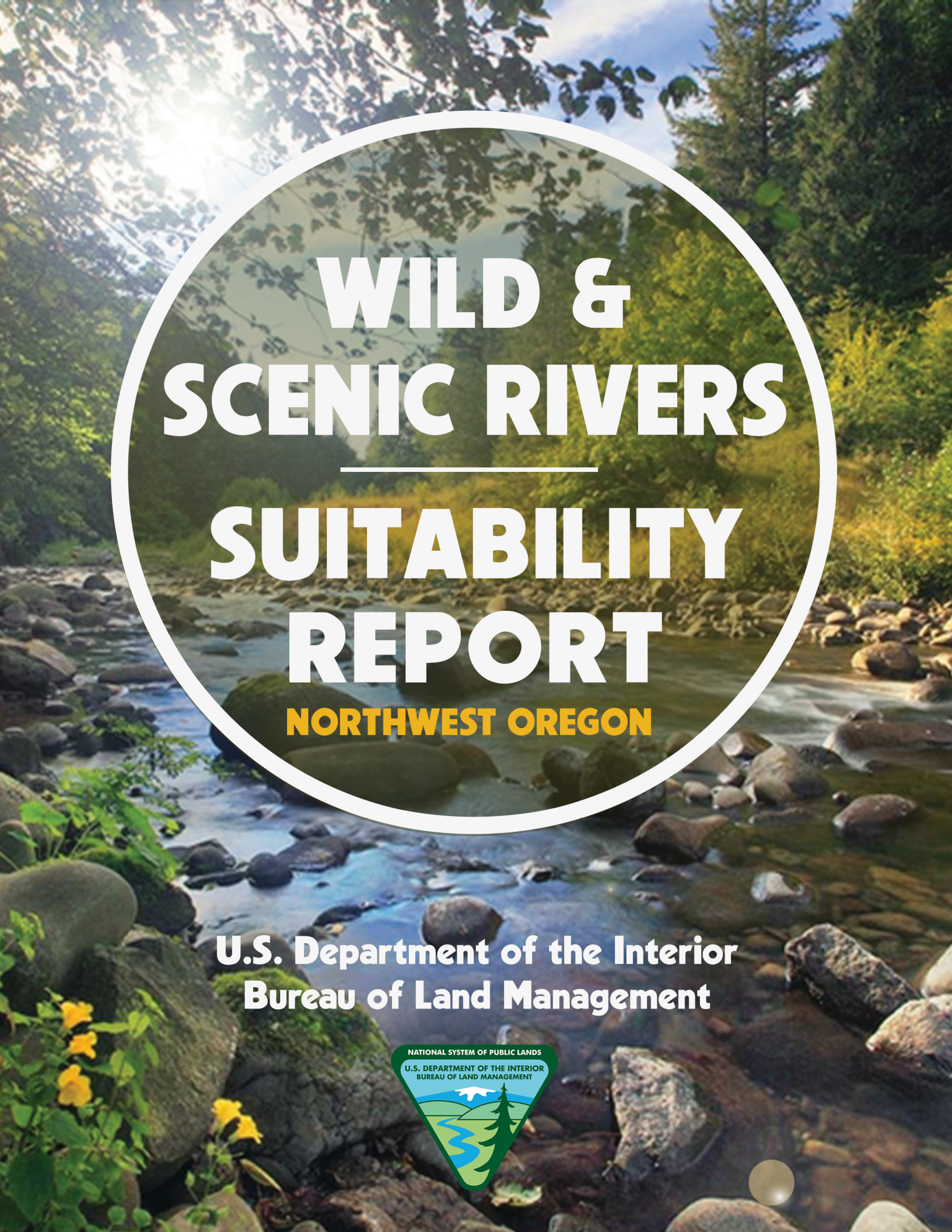

WILD & SCENIC RIVERS

SUITABILITY REPORT

NORTHWEST OREGON

U.S. Department of the Interior
Bureau of Land Management

NATIONAL SYSTEM OF PUBLIC LANDS
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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U.S. DEPARTMENT OF THE INTERIOR
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Section 1: Executive Summary

Introduction, Project Area and Preliminary Determinations

In October 1990, the US Department of the Interior, Bureau of Land Management's (BLM) western Oregon District's (Coos Bay, Eugene, Medford, Roseburg and Salem) and the Klamath Falls Field Office of the Lakeview District completed the eligibility phase of a Wild and Scenic River (WSR) evaluation as part of the resource management plan (RMP) revision process (BLM 1995). The result of this planning effort was the identification of fifty-one eligible river segments across the western Oregon.

This study process assesses the suitability of these fifty-one river segments that have been previously identified as eligible components of the National Wild and Scenic Rivers System. The project area for this suitability study includes all river segments within the BLM's western Oregon district boundaries that have been determined to meet the eligibility criteria for Wild and Scenic Rivers.

Table 2 shows the preliminary suitability determinations for each segment. Of the 51 stream segments determined to be eligible in the 1990 RMP process, the BLM determined that 6 segments are suitable for Wild and Scenic River designation, while 45 segments were found not suitable during the BLM's administrative process.

Why Conduct a Suitability Study and Why Now?

Section 5(d)(1) of the Wild and Scenic Rivers Act (Public Law 90-542; 16 US Code 1271-1287) directs Federal agencies to consider potential Wild and Scenic Rivers in their land use planning process. To fulfill this requirement, whenever the BLM undertakes a land use planning effort (for example, an RMP) it may choose to analyze river and stream segments that might be eligible or suitable for inclusion in the National Wild and Scenic Rivers System (NWSRS).

Six Western Oregon BLM districts are simultaneously revising their respective RMPs for BLM-administered public lands under one environmental impact statement (EIS). This WSR suitability study is being conducted now because the BLM has made the decision to perform suitability determinations as part of the RMP process.

Suitability Phase

The purpose of the suitability phase of the study process is to determine whether eligible rivers would be appropriate additions to the NWSRS by considering tradeoffs between corridor development and river protection. The suitability evaluation does not result in actual designation but is only a suitability determination for designation. The BLM cannot administratively designate a river as the result of a planning decision or other agency decision into the NWSRS, and no segment studied is designated or will be automatically designated as part of the NWSRS. Rivers found not suitable by the managing agency conducting the suitability study would be dropped from further consideration for inclusion into the National Wild and Scenic Rivers System.

What is a Wild and Scenic River?

Congress enacted the Wild and Scenic Rivers Act (WSR Act) on October 2, 1968, to address the need for a national system of river protection. As an outgrowth of a national conservation agenda in the 1950s and 1960s, the WSR Act was in response to the dams, diversions, and water resource development projects that occurred on America's rivers between the 1930s and 1960s. The WSR Act stipulated that selected rivers should be preserved in a free flowing condition and be protected for the benefit and enjoyment of present and future generations. Since 1968, the WSR Act has been amended many times, primarily to designate additional rivers and to authorize the study of other rivers for possible inclusion into the NWSRS.

The WSR Act seeks to protect and enhance a river's natural and cultural values and to provide for public use consistent with its free flowing character, water quality, and Oustandingly Remarkable Values (ORVs). A WSR designation affords certain legal protection from development. For instance, new dams cannot be constructed, and Federally-assisted water resource development projects that might negatively affect the designated river values are not permitted within the designated segment. Where private lands are involved, the Federal-managing agency works with local governments and landowners to develop protective measures.

As of June 2009, 203 river segments, totaling over 12,560 miles, had been protected in the NWSRS (Interagency Wild and Scenic Rivers Coordinating Council 2010). These nationally recognized rivers make up a valuable network of natural and cultural resources, scenic beauty, and recreational opportunities.

Steps in the Wild and Scenic Study Process

A WSR study process is composed of two main components: the eligibility phase and the suitability phase. At this point, the BLM has completed the eligibility phase and is completing the suitability phase for all eligible rivers within the planning area for the western Oregon RMP. The eligibility and suitability phases were conducted in accordance with BLM Manual 6400 *Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, Planning, and Management* (BLM 2012), The Wild and Scenic River Study Process Technical Report (Interagency Wild and Scenic Rivers Coordinating Council 1999), and with the WSR Act.

Eligibility Phase

The eligibility phase was completed for the western Oregon BLM districts in October 1990. Below is a brief description of the steps, which were implemented in completing the eligibility phase. The process described in the following paragraphs has been completed and is included here as a reference. For a complete description of the segments analyzed and methodology used, see the BLM's Final Wild and Scenic River Eligibility Reports for each western Oregon BLM District (BLM 1990).

River and Stream Identification

The WSR Act defines a river as, "a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes." All rivers, which have the potential for WSR designation, must be identified and evaluated. Rivers identified for review may be divided into segments for evaluation purposes. There are no specific requirements for segment length.

A river study area extends the length of the identified river segment and includes the river area, its immediate environment, and shall total an average of no more than 320 acres per mile from ordinary high-water mark on both sides of the river.

Eligibility Evaluation

Each identified river segment shall be evaluated to determine whether it is eligible for inclusion as a component of the NWSRS. Determinations of eligibility shall be documented by the authorized officer (BLM Field Office Manager) prior to the formulation of alternatives but no later than the release of the draft land management plan or land management plan amendment.

The WSR Act states that, in order to be found eligible, a river segment must be "free flowing" and contain at least one river-related valued considered "outstandingly remarkable."

Free flowing is defined by section 16(b) of the WSR Act as "existing or flowing in natural condition without impoundment, diversion, straightening, riprapping, or other modification of the waterway." The existence of small dams, diversion works, or other minor structures at the time the river is being considered should not automatically disqualify it for consideration as a potential addition to the NWSRS. Congress did not intend to require rivers to be "naturally flowing," in other words, flowing without any upstream manipulation except by nature. The presence of impoundments above or below the segment (including those that may regulate flow regime through the segment), or existing minor dams or diversion structures within the study reach do not eliminate a river from consideration.

To be considered outstandingly remarkable, a river's related value must be a unique, rare, or exemplary feature that is significant at a comparative regional or national scale.

Assign Tentative Classification

If the eligibility phase determines segments to be eligible, the appropriate agency shall assign a tentative classification and management measures needed to ensure appropriate protection of the values supporting the eligibility and classification determinations. There are three classes for rivers designated under the WSR Act: Wild, Scenic, and Recreational. Classes are based on the type and degree of human development and access associated with the river and adjacent lands at the time of the eligibility determination. The classification does not reflect the types of values present along a river segment. The classification assigned during the eligibility phase is tentative and may be changed by the managing agency in the final RMP in order to fit with other land management prescriptions, provided the revised classification was analyzed in the Draft RMP as part of the National Environmental Policy Act of 1969 (NEPA) process. Final classification is a congressional legislative determination, along with designation of a river segment as part of the NWSRS.

Results of the Eligibility Phase

The eligibility studies previously completed determined fifty individual segments within BLM-administered lands in western Oregon met the eligibility criteria for inclusion into the NWSRS. Under the 1995 RMPs, the Record of Decisions included these 51 river segments as eligible candidates for the National Wild and Scenic Rivers System. These segments are currently managed under interim protection until the BLM makes land use plan decisions regarding their suitability. As part of the current planning

effort, the BLM studied these 51 eligible segments for suitability. Table 1, identifies the 51 eligible rivers, their outstandingly remarkable values, total miles, and acres of BLM-administered lands within study river corridors.

Table 1. Eligible Wild and Scenic Rivers within the western Oregon planning area.

Study River Name	Outstandingly Remarkable Values	Total (Miles)	BLM-administered Lands (Acres)
Alsea River	Fish, Recreation	16.5	404
Antelope Creek	Fish	21	718
Applegate River	Fish	48	839
Big Butte Creek	Fish	12	706
Cheney Creek	Fish	7	710
Clackamas River	Recreation, Fish	15.4	30
Cow Creek	Fish	61	3339
Drift Creek	Fish	30.1	150
Elk Valley Creek	Fish	6	464
Fall Creek - Eugene	Recreation	2	87
Fall Creek - Salem	Fish	11.7	670
Kilches River	Fish, Recreation	15.7	66
Lake Creek	Fish, Recreation	19.4	483
Left Fork Foots Creek	Fish	4	131
Little Applegate River	Fish	23	1367
Little Luckiamute River	Ecology	27.1	40
Little North Santiam River	Fish, Recreation, Scenery	17.2	1,205
Lobster Creek	Fish	16.6	352
Luckiamute River	Cultural, Ecology	61.2	623
McKenzie River	Fish, Recreation, Scenery	48.7	1,203
Middle Santiam River	Cultural, Ecology	7.9	193
Nehalem River	Recreation, Fish	123.6	40
Nelson Creek	Fish	9.7	833
Nestucca River Segment B	Recreation, Wildlife	8	212
North Fork Clackamas River	Fish	14.4	389
North Fork Gate Creek	Fish	1.7	199
North Fork Siletz River	Fish, Recreation, Scenery	66.2	54
North Fork Trask River	Fish, Recreation	19.5	444
North Santiam River	Fish, Recreation, Scenery	46	375

Study River Name	Outstandingly Remarkable Values	Total (Miles)	BLM-administered Lands (Acres)
Quines Creek	Fish	7	816
Riffle Creek	Fish	6	762
Rogue River	Fish, Recreation	63	708
Sams Creek	Fish	8	497
Sandy River	Recreation, Fish Cultural, Scenery	26.3	1519
Siletz River	Fish, Recreation, Scenery	66.2	54
Sixes River	Fish, Historic	28.9	281
South Fork Coos River	Fish, Recreation	31.6	551
South Fork Coquille	Fish, Prehistoric	35.2	152
South Fork Gate Creek	Fish	2.1	108
South Fork Little Butte Creek	Fish	24.5	452
South Fork Trask River	Fish	9.3	69
South Umpqua	Cultural, Fish, Historic, Wildlife	75.2	602
South Yamhill River	Cultural, Ecology	62.5	0
Molalla River-Table Rock Fork	Cultural	13.4	1,480
Trask River	Fish, Recreation, Wildlife	19.5	444
Tualatin River	Cultural	80.4	326
Umpqua River	Fish, Geologic, Historic, Prehistoric, Recreation, Scenery	109.5	2,403
West Fork Illinois River	Scenery	17	1154
Willamette River	Cultural, Ecology, Fish, Recreation, Wildlife	161.3	83
Wilson River	Fish, Recreation, Wildlife	30.8	108
Yaquina River	Fish	54.38	269
	Totals	**1,692.7**	**29,378**

Suitability Phase

The purpose of the suitability phase of the study process is to determine whether eligible segments would be appropriate additions to the NWSRS by considering tradeoffs between corridor development and river protection. The suitability evaluation does not result in actual designation but only a determination of suitability, which provides a basis for determining which rivers, should be recommended for inclusion into the National System. The BLM cannot administratively designate a stream via a planning decision or other agency decision into the NWSRS, and no segment studied is designated or will be automatically designated as part of the NWSRS. Only Congress can designate a Wild and Scenic River. In some instances, the Secretary of the Interior may designate a WSR when the governor of a state, under certain circumstances, petitions for a river to be designated. Members of Congress will ultimately try to designate suitable segments through proposed legislation. Rivers found not suitable by the managing agency

conducting the suitability study would be dropped from further consideration for inclusion into the National Wild and Scenic Rivers System.

As part of the current planning effort, the BLM studied these fifty-one eligible segments for suitability as part of this Environmental Impact Study planning process. This Draft Suitability Report and subsequent determinations are included in Section 3 of this document. Table 2 identifies the six eligible Wild and Scenic Rivers within the planning are that were found suitable for inclusion into the National System.

Table 2. Suitable Wild and Scenic River determinations within the western Oregon planning area.

River Segment Name	District	Wild and Scenic River Classification	River Miles
Little North Santiam River	Salem	Recreation	17
North Fork Siletz	Salem	Scenic	11
Rogue River	Medford	Recreation	63
Sandy River	Salem	Recreation	26
Table Rock Fork Molalla	Salem	Recreation	13
West Fork Illinois	Medford	Scenic	17
		Totals	**147**

Section 2: Methodology

This section describes the methodology implemented to evaluate eligible river segments for suitability. The criteria used to evaluate Eligible River and stream segments are those described in BLM Manual 6400, *Wild and Scenic Rivers- Policy and Program Direction for Identification, Evaluation, Planning and Management* (BLM 2012) and recommendations from the Interagency Wild and Scenic Rivers Coordinating Council (1999).

Suitability Criteria Used To Evaluate River and Stream Segments

A suitability study is designed to answer the following questions to determine whether eligible rivers would be appropriate additions to the NWSRS:

- Should the river's free flowing character, water quality, and ORVs be protected, or are one or more other uses important enough to warrant doing otherwise?

- Will the river's free flowing character, water quality, and ORVs be protected through designation? Is it the best method for protecting the river corridor? In answering these questions, the benefits and impacts of WSR designation must be evaluated, and alternative protection methods considered.

- Is there a demonstrated commitment to protect the river by any non-Federal entities that may be partially responsible for implementing protective management?

As provided in the WSR Act and incorporating the above guidance from the Interagency Wild and Scenic Rivers Coordinating Council (1999), the following 13 suitability criteria factors, identified in BLM Manual Section 6400 (BLM 2012), were applied to each eligible river segment in the suitability study:

1. Characteristics that do, or do not, make the area a worthy addition to the National System. These characteristics (free flowing and outstandingly remarkable values) are described in the WSR ACT and may include additional factors.

2. The current status of land ownership and use in the area.

3. The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

4. The extent to which the agency proposes the administration of the river, including the costs thereof, be shared by state and local agencies.

5. The extent to which the agency proposes that administration of the river, including the costs thereof, be shared by state and local agencies.

6. The estimated cost to the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

7. A determination of the extent that the state or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the National System.

8. An evaluation of local zoning and other use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

9. The state/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands. This factor requires an evaluation of the river protection mechanisms available through the authority of state and local governments. Such mechanisms may include, for example, statewide programs related to population growth management, vegetation management, water quantity or quality, or protection of river-related values such as open space and historic areas.

10. The support of opposition to designation that exists. Assessment of this factor will define the political context. The interest in designation or non-designation by Federal agencies; state, local, and tribal governments; national and local publics; and the state's congressional delegation should be considered.

11. The consistency of designation with other agency plans, programs, and policies in meeting regional objectives. Designation may help or impede the goals of tribal governments or other Federal, state, or local agencies. For example, designation of a river may contribute to state or regional protection objectives for fish and wildlife resources. Similarly, adding a river that includes a scarce recreation activity or setting to the National System may help meet statewide recreation goals. Designation might, however, limit irrigation and/or flood control measures in a manner inconsistent with regional socioeconomic goals.

12. The contribution to river system or basin integrity. This factor reflects the benefits of a "systems" approach (e.g., expanding the designated portion of a river in the National System or developing a legislative proposal for an entire river system-headwaters to mouth-or watershed). Numerous benefits may result from managing an entire river or watershed, including the ability to design a holistic protection strategy in partnership with other agencies and the public.

13. The potential for water resources development. The intent of the WSR ACT is to preserve selected rivers from the harmful effects of water resources projects. Identify any proposed water resource projects that may be foregone, as designation will limit development of water resources projects as diverse as irrigation and flood control measures, hydropower facilities, dredging, diversion, bridge construction, and channelization.

Data Sources and Methodology

BLM relied on several sources; including geographic information systems data, district specific resource area specialists, contracted workers, public and agency specific information sources, other agencies, and public input. The result was a compilation of data applicable to the suitability criteria. This data was then used to determine the suitability of a particular segment.

Geographical Information Systems

Geographic information systems data compiled by the BLM were used to generate segment maps. This information was also utilized, where appropriate to address suitability criteria factors.

BLM Interdisciplinary Team

The BLM interdisciplinary team consisted of outdoor recreation planners, hydrologists, fisheries biologists, wildlife biologists, planning and environmental coordinators, botanists, and other key specialists from each BLM district and the Oregon/Washington BLM State Office within the planning area. The interdisciplinary team provided information pertaining to suitability criteria factors and reviewed data from additional sources, such as agency and public input for accuracy. Once all available data was compiled, the team evaluated each segment and made a suitability determination.

Public Input

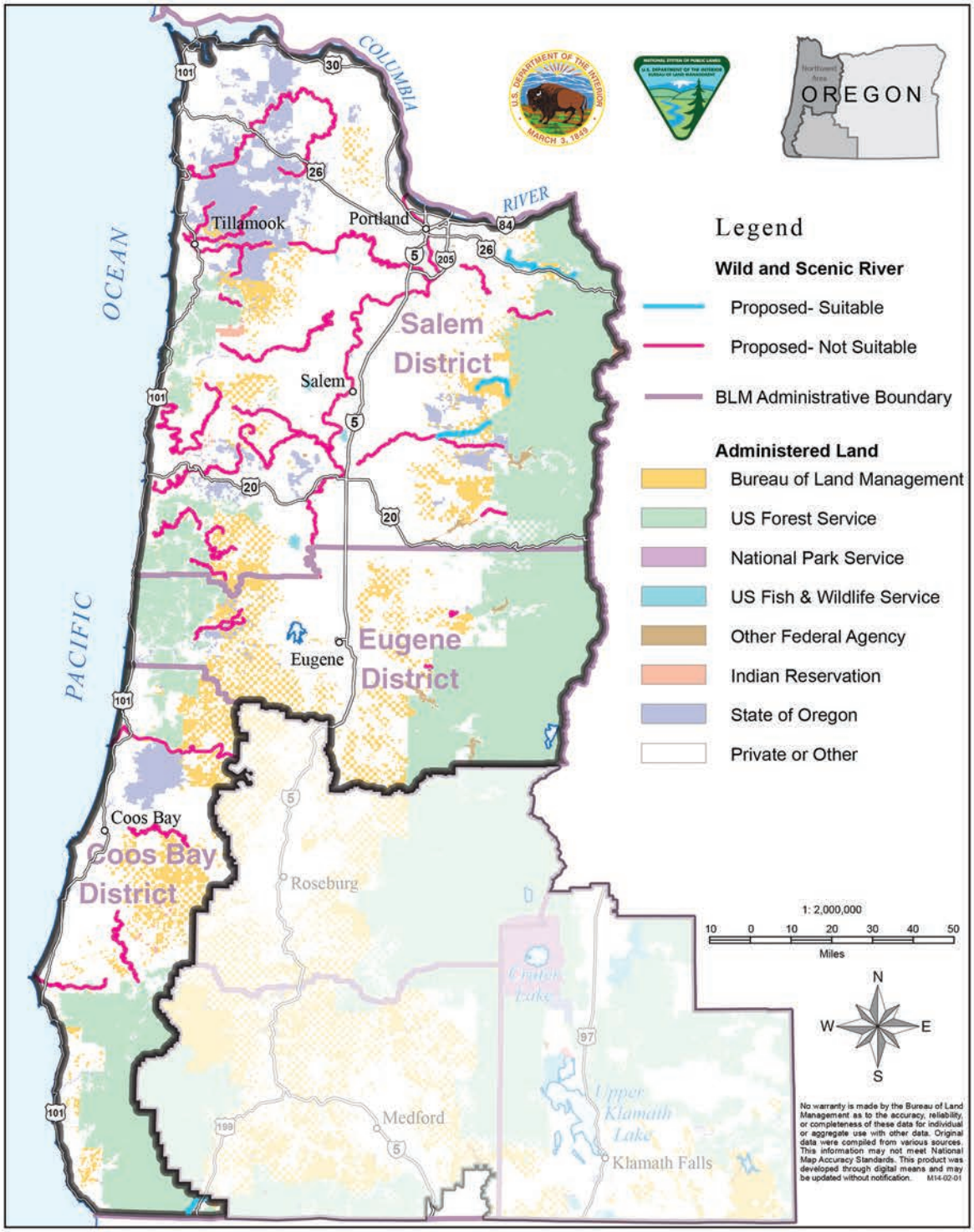
During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the 4 recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Northwest Suitability Area Overview

The Northwest Wild and Scenic River Suitability Report encompasses all eligible Wild and Scenic Rivers within the Salem, Eugene and Coos Bay Districts. Map 1. provides a spatial overview of the proposed rivers indicating those rivers that were found both suitable and non-suitable during this administrative review.

Map 1: Northwest Oregon Wild and Scenic River Suitability Overview



Northwest Oregon Wild and Scenic River Suitability

Section 3: Western Oregon Wild and Scenic River Suitability Reports

This section presents the data collected for each eligible river segment in a narrative format and the resulting BLM determination of suitability. Data collection was guided by the 13 specific criteria described in Section 2, and data are presented for each segment in the order below:

- Characteristics that do or do not make the river a worthy addition to the NWSRS;
- The status of land ownership and minerals (surface and subsurface) use in the area, including the amount of private land involved and associated or incompatible uses;
- Reasonably foreseeable potential uses of the land and related waters that would be enhanced, foreclosed, or curtailed if the area were included in the NWSRS, and values that would be foreclosed or diminished if the area were not designated;
- Federal, state, tribal, local, public, or other interest in designating or not designating the river;
- Estimated cost of acquiring necessary lands, interests in lands, and administering the area if designated;
- Ability of the agency to manage and protect the river area or segment as a WSR, or other means to protect the identified values other than WSR designation;
- Historical or existing rights that could be adversely affected with the designation;
- Adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development;
- Consistency of designation with other agency plans, programs, or policies;
- Contribution to a river system watershed or basin integrity; and
- Other issues and concerns.

This administrative determination will receive further review and possible modification before potential recommendation by the Director of the Bureau of Land Management to the Secretary of the Interior, by the Secretary to the President of the United States, and by the President to Congress. Congress has the authority to make final decisions on designation of rivers as part of the National Wild and Scenic Rivers System.

Impacts that would occur from designating or not designating the suitable river segments have been analyzed in chapter three of the environmental impact statement (EIS) associated with the western Oregon RMP. The BLM will consider public review and comment on suitability determinations included in the Draft RMP EIS before it makes a final suitability determination. Maps and corresponding reports have been included for all eligible rivers segments. River specific information can be accessed at the BLM district office that completed the suitability determination or at the following web link:

http://www.blm.gov/or/plans/rmpswesternoregon/deis.php

Section 3: Coos Bay District Wild and Scenic River Suitability Reports

Sixes River Wild and Scenic River Suitability Determination

Table 3. Sixes River Wild and Scenic River suitability.

Segment Name:	**Sixes River**
Segment Description:	Mouth to North Fork Sixes
Total Segment Length:	28.95 miles
Length on BLM Land:	1.96 miles
Total Segment Area:	8,378.57 acres
Area on BLM Land:	280.51 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish and Wildlife, Historical
Description of ORVs:	The eligibility determination for the Sixes River was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fish and Wildlife, Historical ORVs.

Sixes River Suitability Factor Assessment

Criteria 1: Characteristics that do or do not make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Historic: Historic values are considered to be outstandingly remarkable. The Historic Hughes House is located within the Cape Blanco State Park near the mouth of the Sixes, and is listed in the National Register of Historic Places. Remnants of the gold mining town of Summersville remain on the river. Edson Creek and Sixes River Recreation Sites have a rich mining history. When gold was discovered in the area in the 1850s, word spread quickly among California miners and many came to try their luck on the Sixes River. Today, Sixes River is still a place where enthusiasts pan or sluice for gold year-round.

Fish and Wildlife: Sixes River is listed as having an outstandingly remarkable anadromous fish value. Sixes River has a large run of native Chinook salmon and steelhead.

Wildlife Species Habitat: The Sixes River historically had an abundance of western hemlock- Douglas-fir late seral habitats, non-forested meadows along the ridges and low elevation river bottoms, and large stands dominated by hardwoods on drier, south facing slopes. Unique habitats such as; cliffs, grass meadows, talus slopes, hardwood stands, ponds and lakes comprise a small portion of the landscape. Changes to all these habitats occurred from natural and man-induced disturbances; such as: fire, wind, sedimentation, flooding, fire suppression, harvesting and mining. The Sixes River analysis reports that approximately 154 bird species reside in the watershed. Wild turkeys were introduced into the watershed by the Oregon Department of Fish and Wildlife (ODF&W) and breeding populations currently exist. Other common exotic bird species include European starling, rock pigeon, and house sparrow all of which are restricted to the coastal lowland areas.

Fish distribution for all species in this watershed with resident and anadromous fish having access to almost the entire watershed. Large woody debris levels are low, but improving. Of more concern is water temperatures and water quantity, as there are many out-of-stream water rights.

Dry Creek is the most important tributary in the Sixes River system for spawning and rearing habitat and the estuary is an important component for salmonid life history.

Habitat Conditions Relative to ODFW Benchmarks: The Oregon Department of Fish and Wildlife and associated sponsors began developing an aquatic inventory project in 1989. Surveys showed large wood levels and future recruitment from adjacent riparian stands as a concern.

Other River Values and Characteristics

Other resource values are considered typical for coastal rivers in the district.

Recreation: One Curry County park and two BLM campgrounds on the upper reaches provide recreational activities. Fishing along the river is fairly heavy in the fall and winter. The BLM Sixes River Recreation Site provides recreational gold panning opportunities. Recreational miners still camp at the campground during certain times of the year. The area is popular with people looking for a more rustic camping experience in an off-highway location.

Hydrology: The Sixes River has higher elevations in the east and snowfall will stay for a longer period of time on the ground compared to other local drainages, but the majority of the landscape is considered rain dominated. All water entering Sixes River exits directly into the ocean with little estuary interaction compared to the adjacent New River. (Sixes-New River Watershed Analysis Page 45, Jan 2008)
Sixes River and its tributaries represent the greatest diversity of Channel Habitat Typing's of any watershed in the Southwestern Oregon coast area. (Sixes-New River Watershed Analysis Page 48, Jan 2008.)

Within the Sixes River area water quality is moderately impaired in the Sixes River due to high nitrate, phosphorous, and fecal coliform levels. The 1997 watershed analysis conducted by the USFS for Sixes River mentions nitrogen and mercury as pollutants of concern. Results of DEQ water chemistry sampling since 1965 show that nitrogen levels are lowest during the summer and increase during the winter. Winter nitrogen levels were noted to be elevated (double) above pre-1984 levels from 1984-95. Forest management activities that add organic matter, sediment and urea as fertilizer were suspected to be the cause. Mercury was noted to be present and removed during mining operations on the river and found at very small levels, well below those considered to by health risk to humans. Subsequent sampling by BLM and DEQ (Environment and Ecology, 2006) has determined low levels of mercury exist in the river from natural sources upstream but present no health risk. (Sixes-New River Watershed Analysis Page 56, Jan 2008.)

The Sixes River has a very small estuarine component. It is known as a “blind” estuary, where low river flow in the summer results in a sand bar completely closing off the mouth of the estuary. It is also one of only five “Natural” estuaries on the Oregon Coast. These are defined as lacking maintained jetties or channels, with little development for commercial or industrial activities. The associated shorelines are generally used for agriculture, forestry, or recreation. (Sixes-New River Watershed Analysis Page 59, Jan 2008.)

River Corridor Setting - Access and Development: Along the 29 mile Sixes River, four transportation bridges cross the river. All bridges span the full width of the river. Public access to portions of the Sixes River occurs where Federal (USFS Siskiyou N.F., BLM), State or County lands border the river. Elsewhere, legal access to a majority of the river may be restricted by private ownership. The overall landscape character spans from rural interface to a managed forested setting. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate, but facilities for group activities may be present. Challenge and risk opportunities are generally not important in this area. Opportunities for both motorized and non-motorized activities are present. Construction standards and facility design incorporate conventional motorized uses. Paved roads are maintained by Oregon State (Hwy. 101), and Curry County (Hwy. 184). Sixes is a small rural community that lies within the river corridor. Two developed recreation sites are maintained by the County at Edson County Park and BLM at Sixes Campground. A minor number or agricultural and residential developments are evident on the western end of the river segment. The western half of the study area is predominantly forested with evidence of timber harvests throughout the viewshed. The river segment is free flowing.

Criteria 2: The current status of land ownership and use in the area.

Land ownership for this 28.95 mile segment is a combination of federal (BLM), Private, State and USFS lands (Table 4). This segment is made up of nine total parcels. Six parcels cross to the other side of the river, with three of these parcels having no contact with the riverbed. The BLM manages 1.96 miles (6.8 percent) of shoreline along this segment.

Table 4. Land ownership within the Sixes River corridor.

Ownership	Acres	Percentage
Unknown	15.17	0.2%
BLM	280.51	3.3%
Private	6,851.26	81.7%
Oregon State Parks	482.04	5.7%
Undetermined	21.31	0.2%
USFS	728.28	8.7%

Forestry is the dominant land use in the Sixes River watershed (93%). This includes private industrial, private non-industrial lands, as well as those lands managed by the USFS and BLM. Agriculture/range and rural residential areas account for lower amount of land in Sixes River watershed (7%). Livestock include sheep and cattle. Mining and rock quarries are isolated across the landscape. Sixes River has a history of gold mining and dredging in the small community of Summersville, which is now the Sixes River Campground. Sixes River provides recreational dredging within the Sixes River Campground operated by the BLM. There are placer and lode claims in the watershed; however, no large scale operation is present. The bulk of the local residential homes adjacent to the river study area are within the city limits of Bandon.

The Oregon State Water Resources Department records 41 water rights and 123 points of diversion on the 29 mile Sixes River segment from North Fork to the Pacific Ocean. Table 5. shows water types and uses. It is not advisable to count columns due to the fact that one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 5. Water right types, uses, points of diversion, and withdrawal rates.

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Agriculture Uses	2	5	0.33	
	Cranberry	4	5	0.486	
	Primary and Supplemental Irrigation	1	1	0.86	
Storage	Agriculture Uses	1	1	-	1
	Cranberry	1	2	-	25.6
Surface Water	Anadromous and Resident Fish Habitat	1	1	190	
	Anadromous and Resident Fish Rearing	2	2	95	
	Cranberry	6	20	3.13	143.6
	Domestic	6	6	0.13	
	Domestic Expanded	2	2	0.02	
	Irrigation	12	15	4.955	
	Livestock	6	55	1.8785	
	Supporting Aquatic Life	2	2	150	
	Temperature Control	1	1	0.46	
			Totals	**445.5735**	**17.02**

The river segment contains diversions for the purpose of irrigating private or other lands in accordance with state water right laws. Surface water diversions have been constructed in a manner enhancing fish habitat and do not impair the free-flowing nature of the segment.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment. Designation would enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation
WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Sixes River was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time state or local agencies would likely not be able to administer this segment.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study. There is likely to be some increased cost of administering the area if designated.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Private landowners and government agencies are in the process of developing an eradication and inventory of weeds in the watershed through the local Weed board. Sixes River Watershed Council has embarked upon a planning and control effort to reduce new starts of Gorse and Brooms in the watershed and keep current populations to the south, in Elk River. Private ranchers are controlling weeds as part of the pasture improvement activities they oversee.

Coordinating with the Oregon State Parks division and the Oregon State Marine Board would assure compliance with State regulations for access, use and management of any future designated river. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated W&SRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Curry County zoning along the Sixes River lists five classifications:

Forest Grazing, Timber, Public Facilities, Conservation, and Rural Commercial. About 34% of the river in the first 10.5 miles from the coast is Forest Grazing (FG). The primary land use is commercial forestry with some intermixed agricultural uses for livestock uses. On the entire central and eastern portions of the river corridor, approximately 64% of the river's zoning is Timber (T) where the primary land use is commercial forestry. Only small sections of the other three zoning categories fall within five miles of the coast line (less than 2% combined).

The State of Oregon regulates actions on many resources on private lands. Included are:

Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department. ORPD's mission is to serve the public by promoting responsible water management. Goals are to directly address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

The Sixes River estuary (330 acres) is designated as a Natural estuary under the Oregon Estuary Classification system, and it is listed by The Wetlands Conservancy as one of "Oregon's Greatest Wetlands." The head of tide is about 2.5 miles from the mouth. Opportunities for wetland restoration have been identified and ranked.

Summarizing the findings of the USFS Sixes River Watershed analysis shows that the salmonid populations are depressed over historic levels. Land management activities and ocean conditions are considered the reason for the decline. New requirements on Federal lands have been enacted since the adoption of the NFP that will keep key aquatic and terrestrial components in place on the landscape; the same cannot be said for the State regulations.

A variety of local, state, and governmental agencies; and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the state of Oregon.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extent onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas.

The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. There were no specific comments on Sixes river. A

summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the *O&C Trust, Conservation, and Jobs Act.* The Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon Rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production. (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013)

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Sixes River originates on private lands upstream of Rogue River-Siskiyou National Forest and intermittent BLM parcels. The Rogue River-Siskiyou National Forest did not study their segment of the River for eligibility in the Wild and Scenic River system. The BLM determined that a 29 mile segment is eligible, including just over two miles of the segment on USFS lands. With BLMs finding of eligibility, the FS indicates that they may study the river for eligibility at a later date. Agencies would collaborate in the process. The Forest Service feels that the potential future designation should not deter from its plans, programs, and policies in meeting regional objectives, as they would be involved in the planning process. The Forest Service and Bureau of Land Management follow management prescriptions of the Northwest Forest Plan. Management actions should therefore be consistent. Forest Service management practices should be compatible with the protection of downstream ORVs.

The majority of land ownership along this river consists primarily of private land holdings (81.7%). Current uses and private management practices may not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Question 1.

The Oregon State Parks and Recreation Department (OPRD) has a mission to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations. The State's primary goals are to: 1) Protect the free-flowing character of

designated rivers for fish, wildlife and recreation, 2) Protect and enhance scenic, aesthetic and natural values, recreation, scientific research, and fish and wildlife qualities, and 3) Protect private property rights. OPRD also manages the Oregon Scenic Waterways program (1970) which closely parallels the Federal W&SR program.

The OPRD manages 482 acres of land within the Sixes River corridor. The State has expressed a willingness to participate in the planning process of the Federal W&SR program. Federal designation could result in dual designation by the State as a State Scenic Waterway. Joint efforts would ensure consistent WSR management decisions and program development.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Agreement with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOA.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures which may adversely affect their production, economic stability or social goals.

Even without designation as a W&SR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this creek or river. The Plan identifies implementation strategies to achieve this goal. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards.

Outside of W&SR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two federal laws which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent landowners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Criteria 12: The contribution to river system or basin integrity.

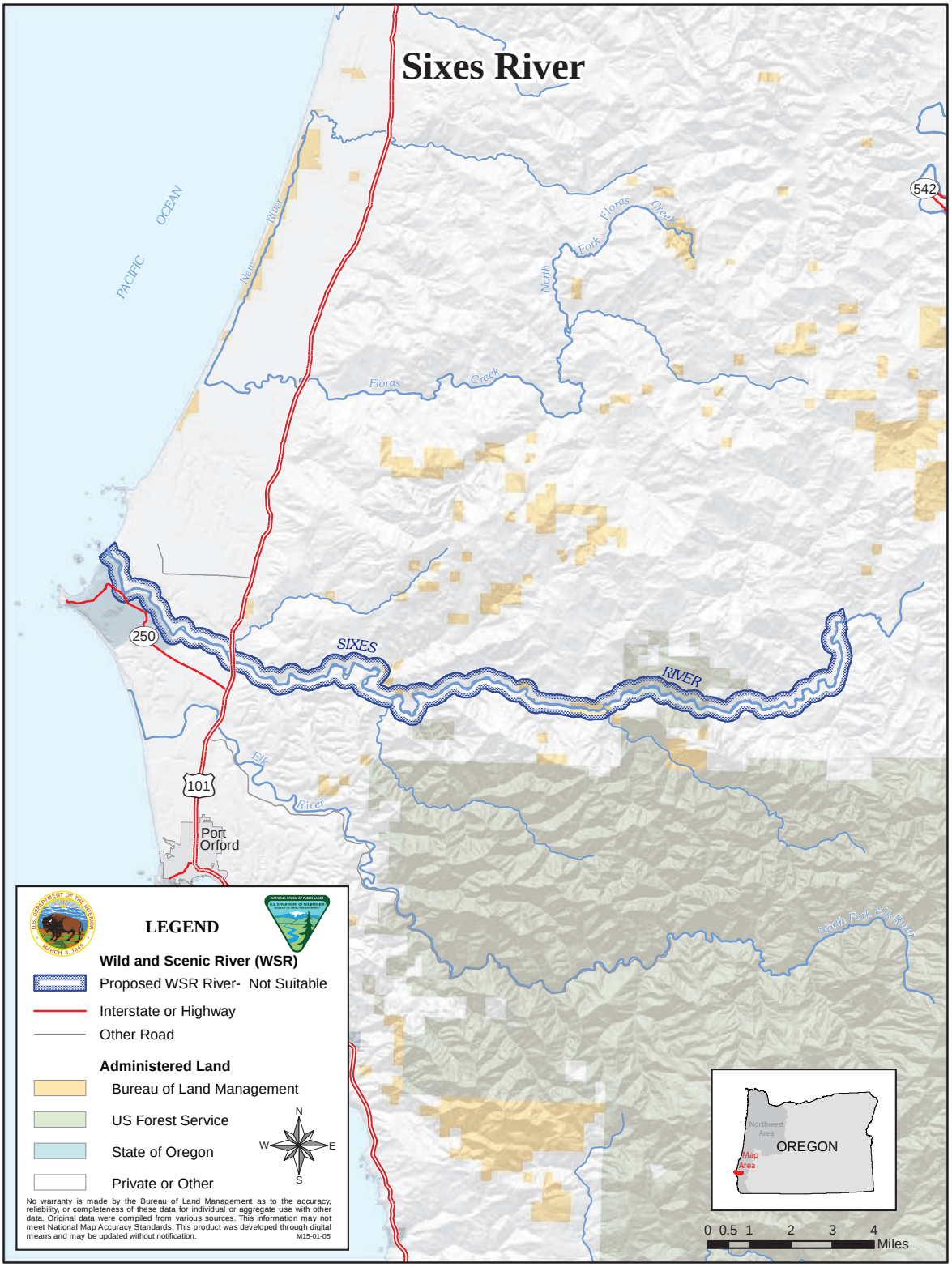
The Sixes River flows approximately 31 miles through coastal forests in southwestern Oregon in the United States. It drains a rugged region of the Siskiyou Mountains along the Pacific north of Port Orford. It rises in the mountains of northern Curry County, south of Sugarloaf Mountain in Rogue River – Siskiyou National Forest. It flows generally west, through Grassy Knob Wilderness, the town of Sixes, and eventually enters the Pacific just north of Cape Blanco.

Criteria 13: The potential for water resources development. Identify any proposed water resource projects that may be foregone, as designation may limit development of water resources projects as diverse as irrigation and flood control measures, hydropower facilities, dredging, diversion, bridge construction, and channelization.

No plans for water resource projects in the Sixes River were identified during this study. The potential for a hydropower facility along the Sixes River is low though there is the potential for bridge construction and bridge replacement projects.

Sixes River Suitability Determination

Based on the information contained in this study, the BLM Coos Bay District finds the Sixes River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river's free-flowing condition, water quality and outstandingly remarkable recreation values.


Sixes River
PACIFIC OCEAN
New River
Floras Creek
North Fork Floras Creek
542
250
101
SIXES RIVER
Elk River
Port Orford
North Fork Elk River
LEGEND
Wild and Scenic River (WSR)
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
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Private or Other
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05
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South Fork Coos River Wild and Scenic River Suitability Determination

Table 6. South Fork Coos River Wild and Scenic River suitability.

Segment Name:	South Fork Coos River
Segment Description:	Coos River to Jct. of Williams River and Cedar River
Total Segment Length:	31.62 miles
Length on BLM Land:	1.42 miles
Total Segment Area:	9,276.78 acres
Area on BLM Land:	551.39 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for the South Fork Coos River was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Recreational, Fish and Wildlife ORVs.

South Fork Coos River Suitability Factor Assessment

Criteria 1: Characteristics that do or do not make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Recreation: Recreation Values on Oregon Rivers and Outstanding Rivers List consider the South Fork to have outstandingly remarkable recreation values. Boating, rafting and fishing or water contact activities were identified. Coos County maintains a boat ramp facility on the river. Numerous undeveloped campsites are located along the river on Weyerhaeuser Company private lands. Whitewater boaters sometimes run a 6.1-mile stretch of the river beginning about 12 miles upstream of Dellwood. Weyerhauser, which owns the land through which this part of the river flows, restricts boating access to weekends only.

Fish and Wildlife: The river supports populations of shad, Chinook and Coho, steelhead, and cutthroat trout. The fisheries along the South Fork Coos River is rated as outstandingly remarkable.

Other River Values and Characteristics

All other resource values on or adjacent to the river are considered to be typical of coastal rivers in the District.

River Corridor Setting - Access and Development: Along the 31.6 mile South Fork Coos River, five transportation bridges provide motorized access over the river. All bridges span the full width of the riverbed. South Coos River Lane and other graveled roads parallel the river for public access. Paved roads are maintained Coos County. Public access to portions of the South Coos River occurs where Federal,

State or County lands access the riverbed. Access to a majority of the river may be restricted by private ownership. There are no communities within the river corridor. Coos Bay and North Bend are immediately west of its confluence with the bay. The lower segment of river is influenced by agricultural developments in a rural interface setting. The upper reached is characterized by forest management operations by private industry and O&C lands (Federal). The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. Challenge and risk opportunities are generally not important in this area. The river segment is free flowing.

Criteria 2: The current status of land ownership and use in the area.

Land ownership for this 31.62 mile segment is a combination of federal (BLM), private, State, and Water Lands (Table 7). Two BLM parcels of land cross the river to both sides; two lie within the corridor but have no contact with the riverbed. There are four parcels total. BLM manages 551.39 acres (5.9 percent) within the study corridor. The BLM manages 1.42 miles (4.5 percent) of shoreline along this segment. Table five shows land ownership within the river corridor.

Table 7. Land ownership within the South Fork Coos River corridor.

Ownership	Acres	Percentage
BLM	551.39	5.9%
Private	8,212.54	88.5%
State of Oregon	29.91	0.3%
Water	458.17	4.9%

The Oregon State Water Resources Department records 16 water rights and 44 points of diversion on the 32 mile South Fork Coos River segment from South Fork Coos R. to Coos River. Table 8. shows water types and uses. It is not advisable to count columns due to the fact that one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 8. Water right types, uses, points of diversion, and withdrawal rates.

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Storage	Fire Protection	1	1	-	0.02
	Road Construction	1	1	-	-
Surface Water	Agriculture Uses	1	3	0.01000	-
	Anadromous and Resident Fish Rearing	1	1	150	-
	Domestic	4	7	0.04	-
	Domestic Expanded	1	1	0.01	-
	Fish Culture	1	1	1	-
	Industrial/Manufacturing Uses	1	1	1.6	-
	Irrigation	7	13	2.5148	-
	Livestock	4	12	0.0127	-
	Supporting Aquatic Life	2	2	130	-
			Totals	**285.1875**	**0.02**

The river segment contains diversions for the purpose of irrigating private or other lands in accordance with state water right laws. Surface water diversions have been constructed in a manner enhancing fish habitat and do not impair the free-flowing nature of the segment.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)

The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment. Designation would enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the South Fork Coos River was added to the National Wild and Scenic Rivers System, the BLM would be best suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time state or local agencies would likely not be able to administer this segment.

Criteria6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study. There is likely to be some increased cost of administering the area if designated.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordinating with the Oregon State Parks division and the Oregon State Marine Board would assure compliance with State regulations for access, use and management of any future designated river. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated Wild and Scenic Rivers.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Coos County zoning along the South Fork Coos River has three classifications:

Exclusive Agriculture, Forest and Rural Residential. On the westernmost end of the river corridor, approximately 67% is Forest, 30% Exclusive Agriculture, and 3% Rural Residential. On the eastern end, all lands are zoned Forest.

The purpose of the Exclusive Agricultural zone is to preserve the integrity and encourage the conservation of agricultural lands; to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

The purpose of the Forestry zone is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

The State of Oregon regulates actions on many resources on private lands, including:

<u>Oregon Department of Geology and Mineral Industries</u>. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving

5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department. ORPD's mission is to serve the public by promoting responsible water management. Goals are to directly address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, state, and governmental agencies; and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the state of Oregon.

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The State of Oregon has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas.

The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. No specific comments were received for the South Fork Coos River. A summary of the key findings from this outreach effort can be found at:

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The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the *O&C Trust, Conservation, and Jobs Act.* The Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon Rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production. (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013)

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides about 6% ownership by BLM, practically no other agency lands are lie within this river corridor. The majority of land ownership along this river consists primarily of private land holdings (88.5%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Question 1.

Oregon Parks and Recreation Department. ORPD conducts a statewide assessment of outdoor recreation demand, needs, and trends every five years. The Oregon Statewide Comprehensive Outdoor Recreation Plan (SCORP) covers regional recreation use and trends from 2012-2017. SCORP offers the best statewide understanding of outdoor recreation available.

Close-to-home activities dominate the user occasions for Oregon residents since these activities occur on nearly a daily basis with limited travel. Most activities that occur within the forested or rural settings of many eligible rivers are not listed in the SCORPs top ten activities. This is due to the fewer people who participate in rural or remote settings. One exception is "day hiking on non-local trails". This is not an indication that the river area's activities are less important. River activities contribute to the mental and physical health of recreation users who participate.

Environmental Protection Agency. The EPA, as part of the President's "UNITED WE SERVE" Initiative has developed a program called: *Adopt Your Watershed*. It provides a toolkit for groups to serve their communities by taking part in activities to protect and restore local watersheds.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Agreement with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOA.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures which may adversely affect their production, economic stability or social goals.

Even without designation as a W&SR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this creek or river. The Plan identifies implementation strategies to achieve this goal. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards.

Outside of W&SR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two federal laws which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent landowners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Criteria 12: The contribution to river system or basin integrity.

The South Fork Coos River is a tributary, about 32 miles long, of the Coos River. Formed by the confluence of the Williams River and Tioga Creek, it begins in eastern Coos County near the Douglas County line and flows generally northwest through the Southern Oregon Coast Range. East of the city of

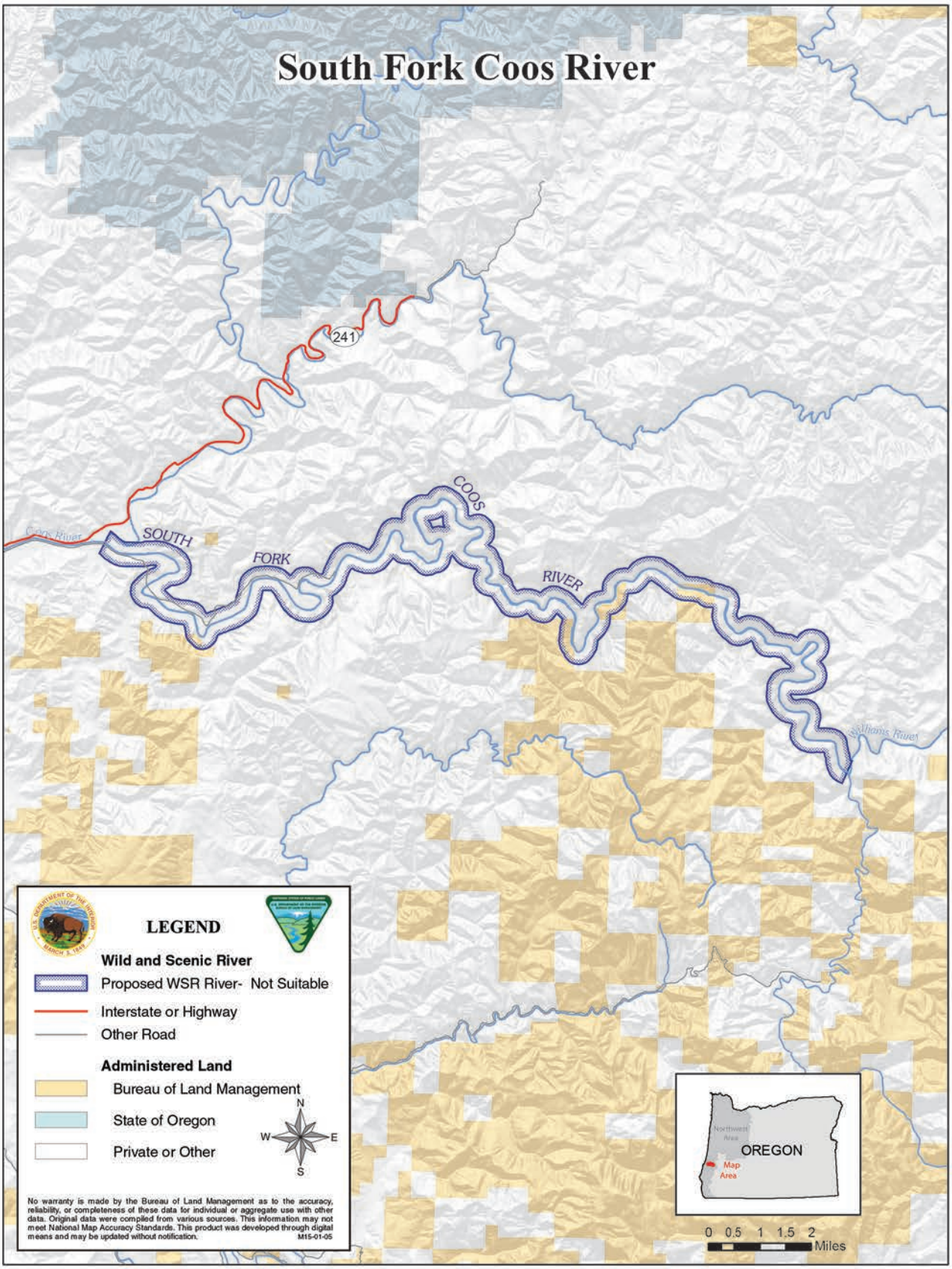
Coos Bay, it joins the Millicoma River to form the Coos River. This larger river, only about 5 miles long, empties into the eastern end of Coos Bay, which connects to the Pacific Ocean. The river supports populations of shad, Chinook and Coho, steelhead, and cutthroat trout. The Oregon Department of Fish and Wildlife operates a steelhead hatchery near Dellwood.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

South Fork Coos River Suitability Determination

Based on the information contained in this study, the BLM Coos Bay District finds the South Fork Coos River to be **non-suitable for inclusion into the National Wild and Scenic Rivers System.** The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river's free-flowing condition, water quality and outstandingly remarkable recreation values.


South Fork Coos River
241
SOUTH
FORK
COOS
RIVER
Coos River
Williams River
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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South Fork Coquille River Wild and Scenic River Suitability Determination

Table 9. South Fork Coquille River Wild and Scenic River suitability.

Segment Name:	**South Fork Coquille River**
Segment Description:	North Fork Coquille to USFS Boundary
Total Segment Length:	35.24 miles
Length on BLM Land:	1.03 miles on one or both sides of the river
Total Segment Area:	10,588.85 acres
Area on BLM Land:	151.87 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish, Cultural
Description of ORVs:	The eligibility determination for the South Fork Coquille River was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fish, Cultural ORVs.

South Fork Coquille River Suitability Factor Assessment

Criteria 1: Characteristics that do or do not make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Fisheries: The South Fork of the Coquille River is "Listed in Recreational Values on Oregon Rivers" as having outstandingly remarkable anadromous fish values. However, habitat of anadromous fish including salmon and steelhead has been compromised due to logging and clearing.

Cultural: Numerous cultural sites have been located along almost the entire river. Seven "significant" sites have been identified, including one of the largest Coquille tribal villages. Cultural values are considered to be outstandingly remarkable.

Other River Values and Characteristics

Other resource values along the river are considered to be typical of coastal rivers in the region.

Recreation: Recreational use of the river is considered to be moderate to high. Local residents utilize the river for water contact activities during the summer and steelhead fishing in the winter. There are a number of commercial fishing guides to meet public demand.

Three state parks, one county and one city park provide considerable recreational opportunities. The river is listed in "Soggy Sneakers" as having high values for canoeing and kayaking. Overall recreation values are considered less than outstandingly remarkable.

River Corridor Setting - Access and Development: Along the 35 mile South Fork Coquille River, seven transportation bridges cross the river. All span the full width of the river. Paved roads are maintained by the State (Highways 42 and 542) and Coos County (Highway 219). Public access to the river occurs where Federal, State or County lands span the river corridor. Legal access to a majority of the riverbed may be restricted by private land ownership. Communities along the river include Powers, Broadbent and Myrtle Point. The upper reaches of the river corridor are predominantly forested hillsides under active timber management. In the corridor, private residences and agricultural lands managed for crops and livestock purposes are evident. The overall setting spans from rural interface to active forestry management. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. Challenge and risk opportunities are generally not important in this area. Occasional dispersed day-use sites can be seen along the river's edge. The entire river segment is free flowing.

Criteria 2: The current status of land ownership and use in the area.

Land ownership for this 35.24 mile segment is a combination of federal (BLM), private, State, USFS, and Water Lands (Table 10). Five parcels contact the riverbed on one side. None cross the river for ownership on both sides. Two lie within the corridor but do not border the riverbed. These seven BLM parcels are all located at the southern end of the corridor near the community of Powers. BLM manages 1.03 miles (2.9 percent) of shoreline along this segment. BLM manages 151.87 acres (1.4 percent) within the study corridor.

Table 10. Land ownership within the South Fork Coquille River corridor.

Ownership	Acres	Percentage
BLM	151.87	1.4%
Private	9,734.46	91.9%
State of Oregon	2.97	<1%
USFS	27.74	0.3%
Water	488.34	4.6%

The Oregon State Water Resources Department records 115 water rights and 224 points of diversion on the South Fork Coquille River. The table below shows water types and uses. Table 11. Depicts water rights information for this river segment. The river segment contains diversions for the purpose of irrigating private or other lands in accordance with state water right laws. Surface water diversions have been constructed in a manner enhancing fish habitat and do not impair the free-flowing nature of the segment.

Table 11. Water right types, uses, points of diversion, and withdrawal rates.

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Storage	Recreation	1	1	0	108
Surface Water	Anadromous and Resident Fish Habitat	1	1	26.7	
	Anadromous and Resident Fish Rearing	1	1	180	
	Commercial Uses	2	2	0.035	
	Domestic	27	41	1.0119	
	Domestic and Livestock	2	6	0.02	
	Domestic Expanded	11	14	0.1735	
	Domestic Including Lawn and Garden	4	5	0.032	
	Fire Protection	2	2	0.01	
	Human Consumption	4	4	0.02	
	Industrial/Manufacturing Uses	2	2	0.67	
	Irrigation	55	63	27.016	
	Livestock	24	74	0.4415	
	Municipal Uses	1	1	1.25	
	Supporting Aquatic Life	3	3	162	
	Supporting Aquatic Life and Minimizing Pollution	1	1	100	
			Totals	**499.4**	**108**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)

The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment. Designation would enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in criteria 9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the South Fork Coquille River was added to the National Wild and Scenic Rivers System, the BLM would be best suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time state or local agencies would likely not be able to administer this segment.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study. There is likely to be some increased cost of administering the area if designated:

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

The Rogue River-Siskiyou National Forest has determined a 14 mile segment of the South Fork Coquille River to be eligible for possible designation into the National W&SR system. Future development of a management plan and management of the river would result in more effective cost savings, public service and interagency collaborative efforts.

Coordinating with the Oregon State Parks division and the Oregon State Marine Board would assure compliance with State regulations for access, use and management of any future designated river. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated W&SRs.

If the river was not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Coos County zoning along the South Fork Coquille River has several classifications:

On the north end near Myrtle Point, the classifications are:

- Forest (47%),

- Exclusive Agriculture (48%),
- Rural Residential (4%), and
- Industrial (1%).

In the central third of the river is zoned as:

- Exclusive Agriculture (53%),
- Forest (44%),
- Recreation (1%),
- Industrial (1%), and
- Rural Residential (1%).

The southern third of the river corridor winds through Powers. It is zoned as:

- Exclusive Agriculture (46%),
- Forest (50%),
- Recreation (1%),
- Industrial (1%),
- Rural Residential (1%),
- Airport Operation (1%), and
- Urban Residential (1%).

The purpose of the Exclusive Agricultural zone is to preserve the integrity and encourage the conservation of agricultural lands; to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

The purpose of the Forestry zone is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the Forestry zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

The State of Oregon regulates actions on many resources on private lands. Included are:

Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration

permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

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The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. There were no comments specific to this river segment. A summary of the key findings from this outreach effort can be found at:

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Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Siskiyou National Forest determined that the South Fork Coquille River was eligible in the Final EIS, Land and Resource Management Plan, 1989. The 14 mile segment flows beyond USFS boundaries and includes additional private, BLM, and state lands. A suitability study was not completed, nor is one currently planned. However, a study may be considered as part of a Forest Plan Revision at a later date. The Forest has indicated that a BLM determination of suitability on this river would not conflict with its plans, programs or policies. The Forest would desire to be a partner in any suitability studies and public engagement. Both the Forest Service and Bureau of Land Management follow management prescriptions of the Northwest Forest Plan. Planning and management actions would be consistent.

The majority of land ownership along this river consists primarily of private land holdings (91.9%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Question 1. BLM manages 1.4%; USFS .3% ,and State <1% of the river corridor. Less than 2% is managed by the combined agencies.

Oregon Parks and Recreation Department. ORPD conducts a statewide assessment of outdoor recreation demand, needs, and trends every five years. The Oregon Statewide Comprehensive Outdoor Recreation Plan (SCORP) covers regional recreation use and trends from 2012-2017. SCORP offers the best statewide understanding of outdoor recreation available.

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Criteria 12: The contribution to river system or basin integrity.

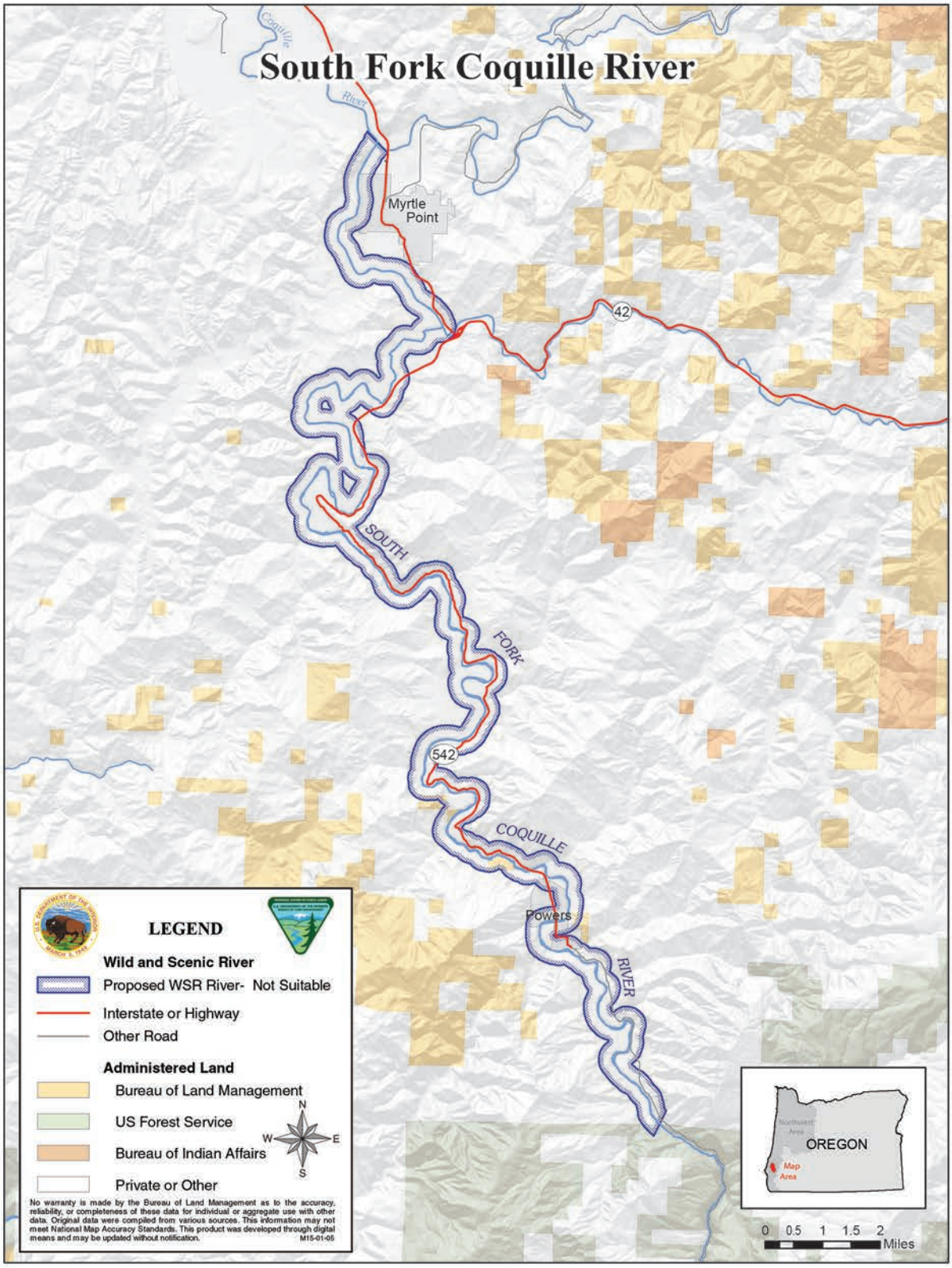
The entire South Fork Coquille River is 62.8 miles long and the largest tributary of the Coquille River in southwest Oregon. From its headwaters in the Oregon Coast Range, the river flows northwest to join the North Fork Coquille River at Myrtle Point, forming the main stem Coquille. Its watershed drains roughly 600 square miles of rural Coos County. The watershed is sparsely populated, with most of the people concentrated in the towns of Powers and Myrtle Point. Anadromous fish including salmon and steelhead inhabit much of the river, but some habitat has been compromised due to watershed management practices of timber harvesting.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

South Fork Coquille River Suitability Determination

Based on the information contained in this study, the BLM Coos Bay District finds the South Fork Coquille River to be **non-suitable for inclusion into the National Wild and Scenic Rivers System.** The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river's free-flowing condition, water quality, and outstandingly remarkable recreation values.


South Fork Coquille River
Coquille River
Myrtle Point
42
SOUTH
FORK
542
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Powers
RIVER
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
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Eugene District Wild and Scenic River Suitability Reports

Fall Creek Wild and Scenic River Suitability Determination

Table 12. Fall Creek Wild and Scenic River suitability

Segment Name:	**Fall Creek**
Segment Description:	BLM/USFS boundary (T. 18 S., R. 1 E., section 25) downstream to Fall Creek Reservoir
Total Segment Length:	1.92 miles
Length on BLM Land:	0.41 miles
Total Segment Area:	588.13 acres
Area on BLM Land:	87.41 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreation
Description of ORVs:	The eligibility determination for the Fall Creek segment was made during the BLM's 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Recreation ORV.

Fall Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values:

Recreation: This stretch of river includes a defunct, single-lane boat ramp located within a small, gated area that allows for day-use only. The land closest to the downstream terminus of this stretch includes a group camping site with modest amenities managed by the State of Oregon. Rural residential developments on both sides of the creek noticeably mark the middle section of this stretch, and are readily visible from the creek and the adjacent Lane County roadway (Big Fall Creek).

Other River Values and Characteristics

On February 28, 2011, Fall Creek Hydro, LLC (Fall Creek Hydro) filed an application for an original license with the Federal Energy Regulatory Commission (Commission) for the proposed Fall Creek Dam Hydroelectric Project, No. 12778-004 (Fall Creek Project or project). The 10-megawatt (MW) project would be constructed at and use the head potential created by the existing U.S. Army Corps of Engineers' (Corps') Fall Creek dam located on Fall Creek, a tributary of the Middle Fork of the Willamette River, near the towns of Springfield and Eugene, in Lane County, Oregon. The project is within the vicinity of the Fall Creek segment and is 6.53 acres of Federal land administered by the Corps. The subject draft environmental assessment (EA) evaluates the potential environmental effects, and economic costs associated with constructing and operating the project.

River Corridor Setting - Access and Development: Along the 1.9-mile Fall Creek segment, no bridges or structures cross the creek. Public access to portions of the creek segment is legal where Federal BLM lands occur (18.2%). Most access to the creek may be restricted by private land ownership. The Big Fall Creek road parallels the creek on its south side. There are no communities along this segment. A number of private residences with agricultural developments lie on both sides of the creek; there are 6 on the north side and about 12 on the southern side of the river. The clusters of trees around each residence and along the river corridor promote the naturalness of the area. There are no major businesses or industrial developments. The character is predominantly rural interface with a Roaded Natural ROS setting. Concentration of users is likely low to moderate. There appear to be no active timber harvest operations in the immediate adjacent area. The creek segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 1.92-mile segment is a combination of Federal and private lands (Table 13). BLM manages 87.41 acres (17.4 percent) within the creek corridor. The BLM manages 0.41 acres (21.3 percent) of shoreline.

Table 13. Land ownership within the Fall Creek corridor.

Ownership	Acres	Percentage
BLM	87.41	14.9%
Private	500.72	85.1%

The Oregon State Water Resources Department records 1 water right with 1 point of diversion on the 1.92 mile Fall Creek segment. The point of diversion is located near the confluence of Station Creek. The water right type is surface water for domestic and irrigation uses. The river diversions must remain accordance with state water right laws. It must be constructed in a manner enhancing fish habitat such that it will not impair the free flowing nature of the creek.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance Recreation values by protecting water quality, and preserving in-channel and riparian habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools, discussed in criteria nine, provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have direct and adverse impact on in-channel conditions. It is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary Right-of-Way approvals, and recreation development of BLM-administered land could be limited or foreclosed if the projects degrade river values (ORVs, free flowing condition or water quality).

In-channel projects on private land that have direct Federal involvement (e.g., permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Fall Creek segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent, to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

There is likely to be some increased cost of administering the area if designated. Currently, there are limited facilities designed to meet the needs of visitors. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, campgrounds, interpretation sites, trailheads, and trails.

Land Acquisition: From a realty standpoint, cost of acquiring land (just the purchase price and not the administrative cost) is based on an appraisal that determines fair market value to assure the Government will deal fairly and equitably with each landowner. There is a minimum offer of $1,000.00 that the BLM has established. It is not expected that the BLM would pursue land acquisition from willing sellers at this time. Because the majority of land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the State of Oregon, including the Department of Environmental Quality would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lane County zoning along this segment of the river is classified as Forest Lands (70%), and Rural Residential (30%). The residential zone lies on the western end of Fall Creek near Fall Creek Lake.

The purposes of the Impacted Forest Lands Zone (F-2, RCP) are:

a) To implement the forest land policies of the Lane County Rural Comprehensive Plan and the forest land policies of the Eugene/Springfield Metro Area General Plan; and
b) To conserve forest land for uses consistent with Statewide Planning Goal #4, OAR 660-006 and ORS 215.700-755. Minimum size for new lots or parcels: 80 acres. Setback from property lines: 10 feet. Firebreak: (30 feet primary) + (100 feet secondary) = 130 feet total. Riparian Setback: 100 feet from ordinary high water. Special features: Firebreaks required for all structures.

The purposes of the Rural Residential Zone are:

a) To implement the policies of the Lane County Rural Comprehensive Plan (RCP) pertaining to developed and committed lands.
b) To promote a compatible and safe rural residential living environment by limiting allowed uses and development to primary and accessory rural residential uses and to other rural uses compatible with rural residential uses and the uses of nearby lands;
c) To provide protective measures for riparian vegetation along Class I streams designated as significant in the RCP.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. OWRD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridors and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

This segment of Fall Creek is water quality limited. It is a Category 4A stream under the CWA, listed for temperature. Category 4A means it is water quality limited and a TMDL (Total Measurable Daily Limit) has been approved.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey.

A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to Fall Creek during this multi-phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They

follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut, and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides the BLM, the State of Oregon manages a small, group campground within the western end of the subject Fall Creek river corridor. The majority of land ownership along this river consists primarily of private land holdings (85%). Current uses and common management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and current uses identified in Criteria 1.

The Willamette National Forest manages lands 0.2 miles beyond the eastern end of the BLM segment. The NF has not inventoried or found the creek eligible. Both agencies manage lands under prescriptions of the Northwest Forest Plan.

A Water Quality Restoration Plan (WQRP) was completed in April 2008 by the Salem and Eugene BLM Districts. The Willamette Basin WQRP covers the Middle Fork Willamette Sub-basin, which includes the Fall Creek watershed, which is where the proposed WSR segment is located.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding (MOU) with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Criteria 12: The contribution to river system or basin integrity.

There are no designated Wild and Scenic Rivers within the Fall Creek watershed nor have there been any legislative proposals for additional Federal protection of Fall Creek or its tributaries.

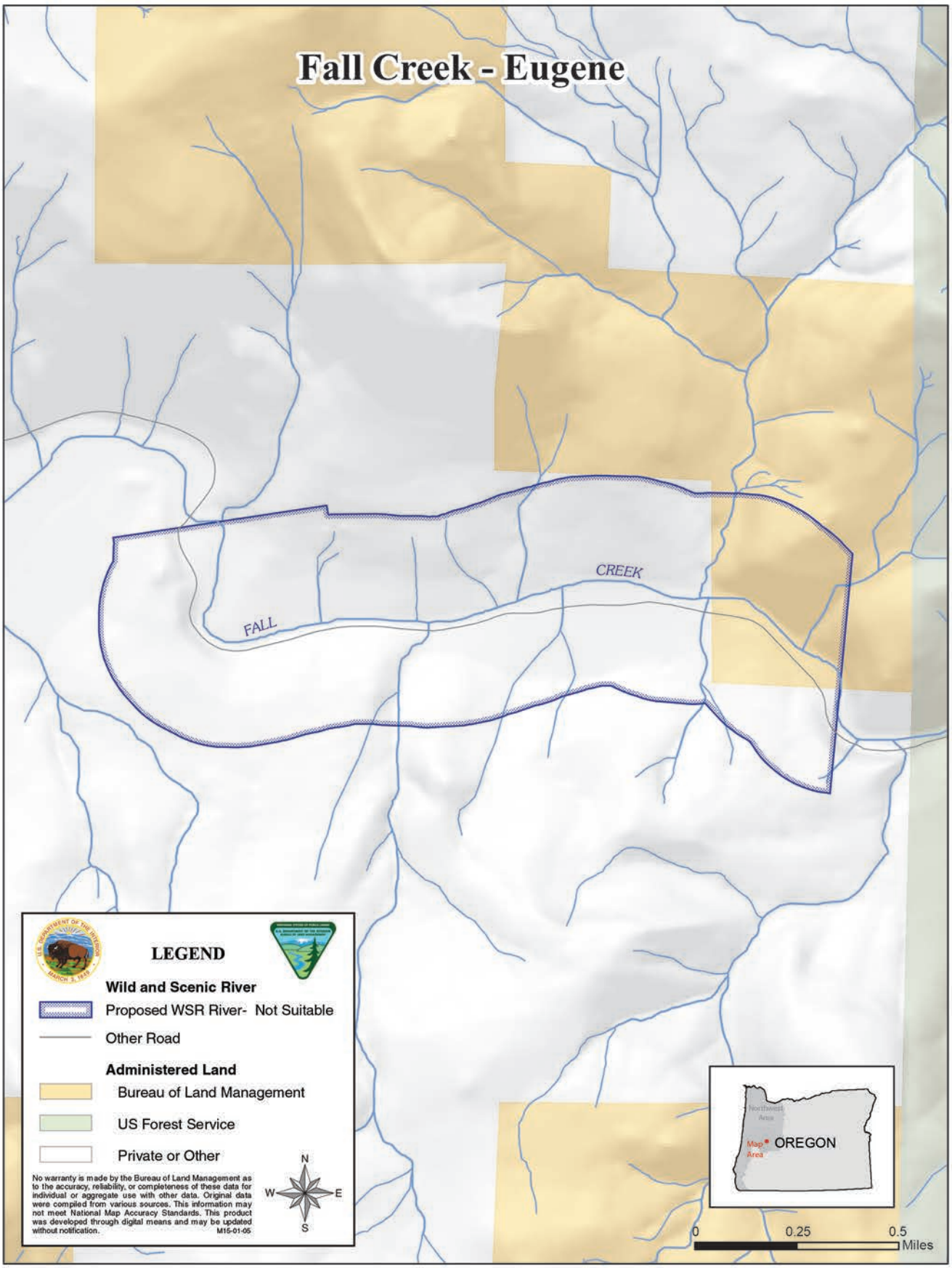
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Fall Creek Suitability Determination

During his suitability analysis, it was determined that the recreation resource no longer met the threshold for an outstandingly remarkable value. There are recreation opportunities that are present within the Fall Creek segment. From a quality recreation standpoint, Fall Creek does not contain any rare, unique, or exemplary recreation features that support a designation.

Since recreation has been determined to no longer be an Outstandingly Remarkable Value, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic River System.


Fall Creek - Eugene
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Lake Creek Wild and Scenic River Suitability Determination

Table 14. Lake Creek Wild and Scenic River suitability

Segment Name:	**Lake Creek, Segment B**
Segment Description:	Triangle Lake Falls downstream to the confluence with Green Creek
Total Segment Length:	19.37 miles
Length on BLM Land:	0.92 miles
Total Segment Area:	5,914.28 acres
Area on BLM Land:	482.72 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish, Recreation
Description of ORVs:	The eligibility determination for the Lake Creek segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the fish and recreation ORVs.

Lake Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Fish: Coho, Chinook, steelhead, and coastal cutthroat trout are the major species in Lake Creek. Beginning in the 1960'2 the State planted coho and steelhead above the falls at Lake Creek. In 1989, the BLM constructed three fish passages in Lake Creek at the falls site. In the fall and winter, Lake Creek Falls is well suited as a watchable wildlife site for Coho and Chinook salmon and steelhead as they migrate upstream to spawn. In 1989, the Bureau of Land Management built a concrete fish ladder at this site, opening up more than 110 miles of stream habitat to fish.

In-stream habitat for fish below the lake is lacking. In the majority of reaches below the "Fish Creek" bridge Lake Creek is considered uninhabitable with bedrock as the predominant habitat. These stream reaches are controlled by private landowners. Bedrock habitat is not suitable for listed Coho.

Recreation: The Lower Lake Creek Special Recreation Management Area (SRMA) is located within the BLM Eugene District's Siuslaw Resource Area. Inside the SRMA boundary is the Lake Creek Falls/Slide Area, a popular recreation destination of major significance for thousands of summer visitors seeking a recreation experience at the unique bedrock slide site.

Lake Creek Falls is a series of low cascades carved in the bedrock within a narrow gorge approximately one-half mile below the outlet of Triangle Lake. There are two distinct falls, namely, upper or main falls, and the lower falls. The natural bedrock slide is the main recreational attraction in this area.

Lake Creek Falls has been a popular swimming and picnicking spot since the early 1900s. Swimming, diving from steep banks, sliding down the natural bedrock slide, sunbathing, picnicking, and partying are the main activities at the Falls/Slide area. Salmon watch environmental education programs are conducted there every fall. The Recreation ORV is sufficiently preserved via existing Special Recreation Management Area designation; therefore, designation would not significantly improve the Recreation ORV at this time.

Other River Values and Characteristics

Historical: The Lake Creek (or Nelson Creek) Bridge is a covered bridge which was built in 1928. Both the upper and lower chords were made from one piece old-growth timbers. The falls area had a powerhouse built ½ mile below the Lower Falls. In the 1930's a cedar flume was constructed along the east side of the falls and bedrock slide area. This flume directed water from the Upper Falls to the powerhouse, generating electricity for local residents. Today one can still see the deteriorating remains of this flume and the powerhouse.

Setting, Access and Development: The 19-mile segment begins at the dam below Triangle Lake. Eight transportation bridges and two pedestrian bridges provide motorized access across the river. All bridges span the full width of the river. Public access to the river is legal where Federal, State or County lands border the river. Access to a majority of the river may be restricted by private land ownership. Paved roads are maintained by the State (Hwy 36, the Mapleton–Junction City Highway), and Lane County. The communities of Triangle Lake and Greenleaf lie along the creek. The only recreation development is at the BLM Lake Creek Recreation Site. Lake Creek Falls are an attraction on the creek. The river study area falls within an actively managed forest area. Within the corridor are private residences and cleared farmlands. The setting is rural interface, but spans to a Roaded Natural character (ROS). The creek segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 19.37-mile segment is a combination of Federal (BLM), private, State, USFS, and Water lands (Table 15). One BLM parcel crosses the river to both sides; another ten lie within the corridor but do not border the riverbed. A few of these BLM parcels barely penetrate the study area. BLM lands are primarily on the eastern end of the river. There are eleven total BLM parcels. BLM manages 482.72 acres (8.2 percent) within the river corridor. The BLM manages 0.92 miles (4.7 percent) of shoreline.

Table 15. Land ownership within the Lake Creek corridor

Ownership	Acres	Percentage
BLM	482.72	8.2%
Private	3,324.43	56.2%
Private Industrial	895.27	15.1%
Private Non-Industrial	324.11	5.5%
State	2.89	<1%
State Dept. of Forestry	82.48	1.4%

Ownership	Acres	Percentage
State Division of State Lands	81.67	1.4%
USFS	720.66	12.2%
Water	0.06	>0%

This segment, as described, between Triangle Lake Falls and the confluence of Green Creek is located within T. 16 S., R. 7 W., Sections 19, 20, 30 and 31; T. 16 S., R. 8 W., Sections 36, 35; T. 17 S., R. 8 W. Sections 2, 3, 4, 8, 9, 18; and T. 17 S., R. 9 W., Sections 13, and 14. Lake Creek flows through a mix of BLM, industrial forest, and small private lands. Weyerhaeuser, Roseboro Resources, and Seneca-Jones own lands adjacent to the stream and have valid existing rights under a reciprocal Right-of-Way Agreement with the BLM. Under this agreement, new road construction may take place for the purposes of forest management.

Several small landowner properties are adjacent to the creek. The BLM has acquired some easements (including one non-exclusive easement, which does not acquire public access) and given grants for access. For example, the Blachly –Lane Cooperative has a Right-of-Way grant for a power line and the Oregon Department of Transportation has a Right-of-Way grant for portions of Highway 36 that cross BLM lands. In addition, as stated in the report, there are numerous water rights a points of diversion. There are no proposals for land exchange along the described segment.

The Oregon State Water Resources Department records 46 water rights and points of diversion on the 19-mile Lake Creek segment. Run date is June 1. Forty-three of these are surface water permits, which are irrigation rights and a few domestic use rights. Of the 46, 2 are storage permits for fish and wildlife use and only, and 1 is a groundwater certificate for irrigation purposes.

The river segment contains diversions for irrigating private or other lands in accordance with state water right laws. Surface water diversions have been constructed in a manner enhancing fish habitat and do not impair the free flowing nature of the segment.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

<u>Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)</u>
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Since this segment is within the Lower Lake Creek Special Recreation Management Area, designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would help ensure the continued availability of recreation opportunities occurring in this river segment, including swimming and family picnicking.

Designation would not necessarily enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the

Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is one withdrawal attached to Lake Creek in the area of T. 16 S., R. 7 W., Section 20. The purpose of the withdrawal is to protect the natural visual quality of the Lake Creek Recreation Site and existing and planned recreation and fish passage developments.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed by Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least 7 locations, including Stagecoach Mountain Rd. in 17-9-14 and Nelson Mountain Rd. in 17-8-9.BLM-administered land in T. 7 S., R. 8 W., section 32. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Lake Creek segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study. There is likely to be some increased cost of administering the area if designated.

Currently, there is limited recreation facilities designed to meet the needs of users. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, campgrounds, interpretation sites, trailheads, and trails. Fish passage facilities would continue to require maintenance resources and possible development or upgrade over time.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordinating with the Oregon State Parks division and the Oregon State Marine Board would assure compliance with State regulations for access, use, and management of any future designated river. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances.

Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lane County zoning along this segment of the river is classified as:

- Forest Lands (97%)
- Exclusive Farm Use (1%)
- Rural Residential (1/2%)
- Rural Industrial (1/2%)
- Parks & Recreation (1/2%)
- Public Facility (1/2%)

The last four zoning classes occur primarily at the east end near Triangle Lake.

The purposes of the Impacted Forest Lands Zone (F-2, RCP) are:

a) To implement the forest land policies of the Lane County Rural Comprehensive Plan and the forest land policies of the Eugene/Springfield Metro Area General Plan; and
b) To conserve forest land for uses consistent with Statewide Planning Goal #4, OAR 660-006 and ORS 215.700 through .755. Minimum size for new lots or parcels: 80 acres. Setback from property lines: 10 feet. Firebreak: (30 feet primary) + (100 feet secondary) = 130 feet total. Riparian Setback: 100 feet from ordinary high water. Special features: Firebreaks required for all structures.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet

must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. ORPD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Lake Creek is listed in the 2010 integrated report (DEQ) for temperature (river mile 0 to 28.3- summer-rearing and river mile 0-35.8 year-round non-spawning). The latter temperature listing was a supplemental addition by EPA to the 303(d) list (12/14/2012). Lake Creek at one point was also listed for flow modification and habitat modification but has been de-listed (water quality limited- not a pollutant) for both.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon Resource Management Plan (RMP) project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to Lake Creek Segment B during this multi-phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry (ODF) manages 2.9 and 82.5 acres within the Lake Creek corridor. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

Environmental Protection Agency. The EPA, as part of the President's "UNITED WE SERVE" initiative has developed a program called: Adopt Your Watershed. It provides a toolkit for groups to serve their communities by taking part in activities to protect and restore local watersheds.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Agreement with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOA.
Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

The Eugene district has no way to control the poor water quality that exists in the Lake Creek reaches directly below Triangle Lake. Water quality is so poor here that residents around the lake are not allowed to have septic tanks/fields and must use port-a-potties. There is no Federal management of land above this site by agencies of the BLM.

Criteria 12: The contribution to river system or basin integrity.

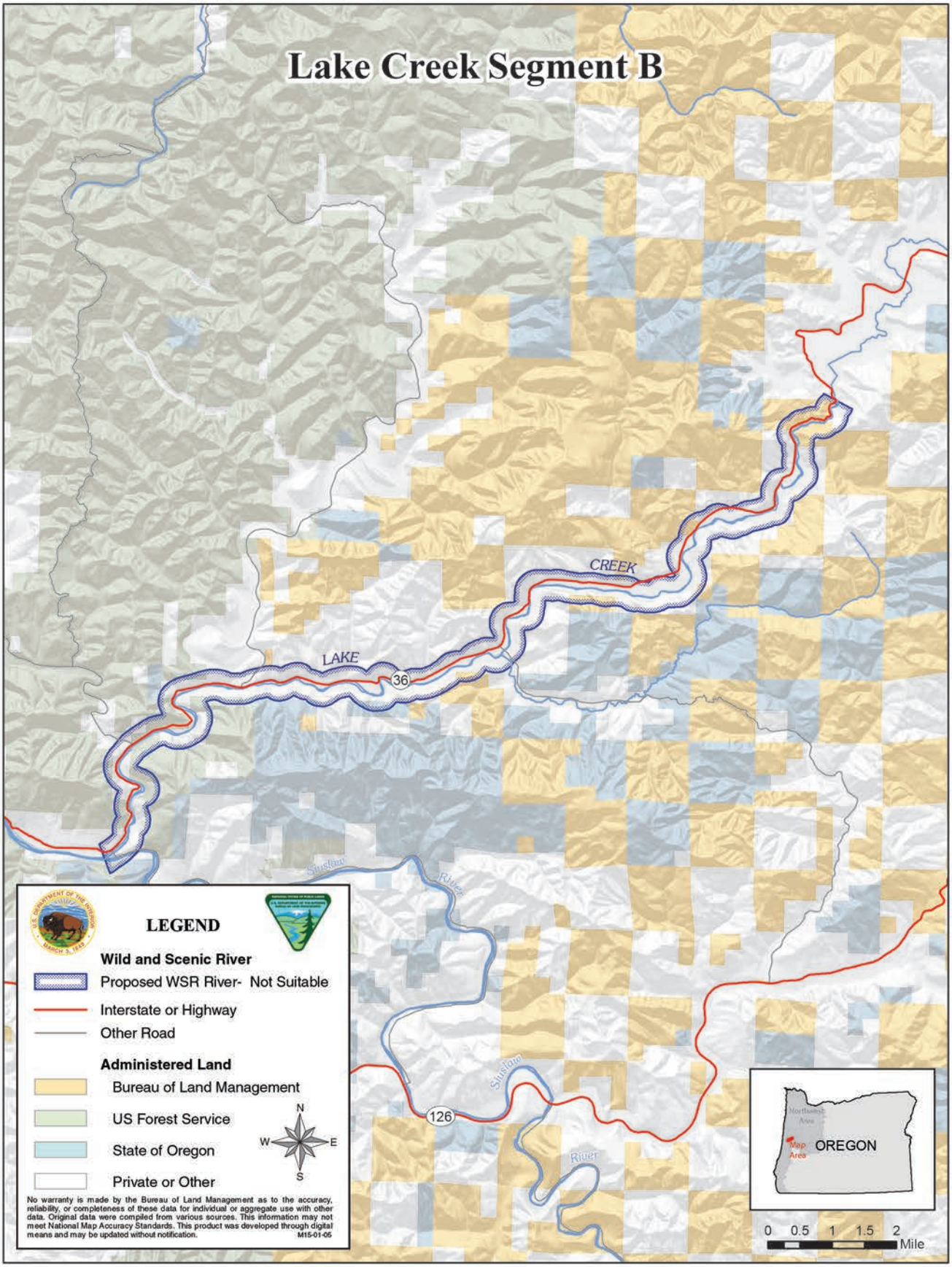
There are no designated Wild and Scenic Rivers within the Lake Creek watershed nor have there been any legislative proposals for additional Federal protection of Lake Creek or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Lake Creek River Suitability Determination

Based on the information contained in this study, the BLM Eugene District finds Lake Creek Segment B to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality, and outstandingly remarkable recreation values.


Lake Creek Segment B
LAKE
CREEK
36
126
Siuslaw
River
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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McKenzie River Wild and Scenic River Suitability Determination

Table 16. McKenzie River Wild and Scenic River suitability

Segment Name:	**McKenzie River B**
Segment Description:	Goodpasture Road Bridge downstream to the confluence with the Willamette River.
Total Segment Length:	36.69 miles
Length on BLM Land:	>1mile
Total Segment Area:	11,550 acres
Area on BLM Land:	55.7 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish, Wildlife, Recreation, Scenery
Description of ORVs:	The eligibility determination for the McKenzie River B segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fish, Wildlife, Recreation, and Scenery ORVs.

McKenzie River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Recreation: Recreational uses of the Lower McKenzie include fishing, motorized and non-motorized boating, kayaking, driving for pleasure, water play, picnicking, hiking/walking/running, and wildlife viewing. Developed and primitive recreation facilities managed by the BLM, Lane County and non-governmental entities in the area are day-use sites mostly used for fishing, boat launching, hiking and picnicking. Taylor Landing, dedicated in late winter 2006, is BLM's sole developed recreation site located within the river segment. Recreational values are determined to be outstandingly remarkable with a draw from local and out-of-area visitors who appreciate the subject river segment both for the recreational opportunities it offers, and for its "gateway" distinction to the fuller stretch of water-based recreational opportunities available within the middle and upper reaches of the McKenzie River corridor. The McKenzie River segment B includes many travel and tourism amenities such as an information center, cafes/restaurants, markets, and fuel businesses that cater to out-of-area visitors. Additionally, multiple private lodging accommodations are located within easy travel distance to the lower McKenzie River segment. In addition, a robust community of commercial rafting and fishing guides are available to provide varying levels of service to visitors wishing to float and/or fish the river corridor.

Efforts are underway to form a McKenzie River Interpretive Center to be housed within the Old Leaburg Fish Hatchery. The group conducted a feasibility study in autumn of 2012.

Scenery: The scenic qualities of the study area are characterized by a mix of rural residential and forested lands. The former becomes increasingly predominant towards the western portion of the river segment. The built environment, including the area's newest regional hospital and Interstate 5 corridor, becomes part of the visual composite within the city limits of Springfield.

Fish: The McKenzie Watershed supports resident populations of rainbow trout (McKenzie redsides), cutthroat trout, bull trout, mountain whitefish, and numerous non-salmonids such as sculpins, dace, shiners, suckers, stickleback, and occasionally sturgeon. The basin is also an important spawning/rearing area for anadromous spring Chinook salmon and summer steelhead trout. Upper Willamette Spring Chinook salmon in the McKenzie River has the most natural run of Spring Chinook Salmon. The three migratory types have been documented in the McKenzie River subbasin, which is the most natural system remaining in the Willamette Basin, and are representative of other spring Chinook populations in the Columbia Basin (Schroeder *et al.* 2007). Only native anadromous fish are placed above the Leaburg Dam. McKenzie River Chinook are considered a core population with a "genetic legacy" population giving this area unique quality. Due to its cold water and natural temperature regime, this system has been able to produce salmonids that have been sought after by the public and merits wild and scenic protection for generations to come (S. Liebhardt). The fishery resource of the McKenzie River is nationally recognized. Important sources of the fish in the river are the 2 fish hatcheries, one for trout and one for salmon. Both are located within the river segment corridor. The McKenzie channel has gravel bars, islands, and side channels that favor fish spawning and rearing.

Wildlife: The Vida/McKenzie Watershed supports a wide variety of wildlife species. Of the species known or suspected to occur, there are 3 ESA-listed or candidate species, 14 BLM Sensitive species, and 8 Species of Concern under the Migratory Bird Treaty Act. Prominent among these are the Northern spotted owl, Oregon red tree vole, Pacific pond turtle, peregrine falcon, bald eagle, and harlequin duck. Additionally, this area supports a number of recreationally important species such as Roosevelt elk, black-tailed deer, mountain lion, and black bear. This segment also provides a habitat type (coniferous forest adjacent to a major river system) that is found nowhere else within the Upper Willamette Field Office.

Other River Values and Characteristics

Historic: At the upper end of the segment, The Goodpasture Bridge is one of the most beautiful and most photographed covered bridges in the state. The classic architecture of this bridge is accentuated by Gothic style windows on both sides of the structure. At 165 feet, the span is the longest covered bridge in Oregon still in daily use. The Old Leaburg Fish Hatchery, located within the river corridor, is listed on the National Register of Historic Places.

Setting, Access, and Development: Along the 36 mile McKenzie River segment, 8 transportation bridges and 2 pedestrian bridges cross the river. Most bridges span the full width of the river; some may have support piers within the river channel. Public access to portions of the river is legal where Federal, State

or county lands border the river. Access to a majority of the riverbed may be restricted by private land ownership. Paved roads are maintained by Federal Interstate 5, State Highway 126 and others, and Lane County roads. Communities along the river corridor include Coburg, Springfield, Thurston, Walterville, and Leaburg. Highway 136 parallels the eastern end of the river through small communities and rural residences. On the western end where Thurston, Springville, and Coburg are located, heavy development up to the river's edge is noticeable. Common uses and landscape alterations include heavy commercial, industrial, and residential developments. The setting is Rural with Urban areas near the cities. These areas are characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. Development is very noticeable along the entire river's corridor. Recreation access points to the river are limited. Leaburg Reservoir is part of the McKenzie River below Goodpasture Bridge.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 36.69-mile segment is predominantly privately held landowner lots (Table 17). There is a small percentage of BLM land immediately adjacent (shoreline) to the river in T. 17 S., R. 1 E., Section 19 (Tax lot 800). Most of this acreage was acquired via a land trust donation. This would be the only point of public access via BLM lands along this segment. Within the watershed and in places within 0.25 miles of the river, there are lands encumbered by an existing O&C Reciprocal Right-of-Way Agreement. New road construction for purposes of forest resource management may occur under that agreement.

Table 17. Land ownership within the McKenzie River segment B corridor.

Ownership	Acres	Percentage
BLM	55.71	0.5%
Private Individual or Co.	11,093.04	96.0%
Private Industrial	35.26	0.3%
Private Urban Lands	40.92	0.3%
Undetermined	325.31	2.8%

State Highway 126, which follows the McKenzie River on the northern side of the river, is the main transportation route to and through the area. Deerhorn Road, which parallels Highway 126 on the southern side of the river from Hendricks Bridge Wayside Park below Walterville to just west of the community of Leaburg, is a major route for local traffic. Other roads into the communities and forest roads branch out from these major routes. An important link in the local transportation routes is Goodpasture Covered Bridge, which is located one-half mile west of Vida. Goodpasture Bridge, constructed in 1938, is culturally important as well. It appears in the National Register of Historic Places and is a source of pride to area residents.

State Highway 126 serves as a transportation link between the communities of Eugene and Springfield to the communities east of the Cascades, including Sisters, Bend, and Redmond. This link influences the area by having a large amount of vehicle traffic moving through the area to recreation opportunities farther upriver to wilderness areas or east of the Cascades for hiking, camping, and skiing.

Private landowners have increasingly gated their roads due to problems with people dumping garbage and hazardous materials, thus limiting public access to public land and dispersed recreation opportunities.

There are no proposals for land exchange along the described segment .

The Oregon State Water Resources Department records approximately 450 water rights and 489 points of diversion on the 36.7-mile McKenzie River segment B. Run date is June 1. Table 18. shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

The major water right is Surface Water with only several Storage and Ground Water permits. Permits include a variety of uses for; wildlife, fish, domestic, industrial, irrigation, commercial, agricultural, livestock support aquatic life and recreation, and anadromous & resident fish rearing.

Table 18. Water right types, uses, points of diversion, and withdrawal rates

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Group Domestic	3	3	0.436	
	Industrial/Manufacturing Uses	4	4	1.3755	
	Irrigation	75	75	32.2094	
	Irrigation and Domestic	1	1	0.0668	
	Municipal Uses	24	24	31.962	
	Nursery Uses	8	8	0.6948	0
	Pond Maintenance	1	1	0.089	
Storage	Fish Culture	7	7	0	31.007
	Livestock	1	1	0	0.48
	Multiple Purpose	15	15		2.7199
	Power Development	1	1	0	0
	Recreation	1	1	0	8.8
	Storage	3	3	0	6.48
Surface Water	Wildlife	2	2		0.117
	Air Conditioning or Heating	1	1	0.022	
	Commercial Uses	1	1	0.02	
	Domestic	23	23	0.5368	
	Domestic Expanded	4	4	20.0245	
	Domestic Including Lawn and Garden	7	7	0.15	
	Fire Protection	1	1	0.0222	
	Fish Culture	18	18	244.235	
	Industrial/Manufacturing Uses	10	10	89.5998	
	Instream Uses	1	1	4.1	
	Irrigation	245	245	105.617	723.0167
	Irrigation and Domestic	4	4	3.48	
	Livestock	2	2	0.02	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Municipal Uses	5	5	335.98	
	Pond Maintenance	2	2	0.245	
	Power Development	8	8	3475	
	Primary and Supplemental Irrigation	8	8	2.625	344.9
	Quasi-Municipal Uses	1	1	4	
	Recreation	1	1	0.05	
	Swimming	1	1	0.25	
			Totals	**4,352.81**	**1,117.52**

The river segment contains diversions for irrigating private or other lands in accordance with state water right laws. Surface water diversions have been constructed in a manner enhancing fish habitat and do not impair the free flowing nature of the segment.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

In general most private lands in the watershed are intensely managed for timber production and, because of this, these lands rarely contain forests over 60 years old and do not provide much mature or old growth habitat. Additionally, since most of the management activities are directed toward maximizing timber volume, very few trees are left standing or down, which is necessary for certain wildlife.

The recreational angling occurring in the Lower McKenzie contributes to the economy of the area. A June 1991 study by the Research Group for the Oregon Department of Fish and Wildlife, "Oregon Angler Survey and Economic Study," considered what the economic contribution of an angler/day is to the local economy in several regions in Oregon. The analysis area is included in the Willamette Region. This study estimated that residents of the region contribute $24.35 per angler/day to the local economy (Willamette Region). This includes equipment, gas, food, and other minor expenses.

Past forest management practices have resulted in fragmentation and conversion of late-successional forests to young, even-aged forests, and they have been put onto a short harvest rotation. These practices have reduced the amount of suitable spotted owl habitat available, and reduced the amount of habitat that would otherwise return to suitable habitat over time after a similar ‘natural’ disturbance. The amount and quality of forest habitat on public lands is increasing over time. Within 10 to 30 years, approximately 3,236 acres will potentially become suitable habitat. However, almost 64 percent (2,074 acres) of this habitat will be managed mainly for timber production. Thirty nine percent of all Bureau administered lands are in Riparian Reserves and will be managed for late-successional species.

<u>Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)</u>
The basic objectives of designation are to maintain the river’s existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM’s management presence would increase. Designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and

would ensure the continued availability of recreation opportunities occurring in this river segment. Designation would enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district and the body seeking to for a McKenzie River Interpretive Center.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, the BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management

practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the McKenzie River segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

It is not expected that state or local agencies would share in the costs of river administration at this time.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

There is likely to be some increased cost of administering the area if designated. Currently, there are limited facilities designed to meet the needs of users. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, campgrounds, interpretation sites, trailheads, and trails.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental Quality would be pursued should the river be designated. In addition, cooperative efforts

would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lane County has designated a variety of zones along the McKenzie River segment. On the western end near Springfield, zoning includes Exclusive Farm Use (over 50%), Urban (within city Limits 25%), and smaller sections of Rural Residential, Rural Industrial, Sand /Gravel and Rock, Quarry & Mining, and Parks and Recreation. There is <1% Forestry zoning in the river corridor. The middle third of the river is primarily zoned as Exclusive Farm Use (70%). Other zones include Rural Residential (25%), Forestry (4%), Parks and Recreation (<1%), Quarry and Mining (<1%). The eastern third of the McKenzie River segment is zoned partially as: Residential Rural (40%), Forestry (45%), Exclusive Farm Use (15%) and Parks and Recreation (<1%).

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. ORPD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The McKenzie Watershed Council was formed in 1993 to help address watershed management issues in the McKenzie River watershed, as well as provide a framework for voluntary coordination and cooperation among key interests in the development and implementation of a watershed action plan. The Council's vision is that through the McKenzie Watershed Council's Conservation Strategy, the McKenzie River watershed supports exceptional water quality and habitats in balance with human livelihood and quality of life. Its mission is to foster better stewardship of the McKenzie River watershed resources, deal

with issues in advance of resource degradation, and ensure sustainable watershed health, functions, and uses. The Council will accomplish its mission through fostering voluntary partnerships, collaboration, and public awareness.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

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Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

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- Road construction and maintenance,
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- Reforestation, and
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Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. The OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

This segment of the McKenzie River is water quality limited. It is in Category 4A under the CWA, listed for temperature. Category 4A means it is water quality limited and a TMDL (Total Measurable Daily Limit) is approved.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon Resource Management Plan (RMP) project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to McKenzie River B during this multi phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or**

designation due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Willamette National Forest studied a segment of the McKenzie above the BLM segment for potential WSR designation with public input in a Draft EIS in 1987. The westernmost end of the USFS segment of the McKenzie River was not listed as an eligible river, which would require meeting characteristics of a free flowing nature and possessing "outstandingly remarkable values." However, the remaining portion of the USFS segment was designated as the McKenzie Wild and Scenic River managed by the Willamette National Forest. This section of river runs 12.7 miles from Clear Lake to Scott Creek, and was designated in 1988 for its outstandingly remarkable values of fish, scenic quality, recreation, hydrology/geology, and water quality. The River's classification is Recreational.

Designation would be consistent with management practices by the Forest Service upstream. The Forest Service is currently protecting many of the same ORVs (Fish, Recreation, and Scenery) as BLM has identified for its lower segment. (Fish, Wildlife, Recreation, Scenery). In addition, both agencies manage resources under the Northwest Forest Plan and must comply with other similar laws, regulations, and acts.

However, besides the BLM, no other Federal agency lands are located in the river corridor. The majority of land ownership along this river consists primarily of private land holdings (96.6%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

A water quality Restoration Plan (WQRP) was completed in April 2008 by the Salem and Eugene BLM Districts. The Willamette Basin WQRP covers the McKenzie River Sub-basin, which includes the McKenzie River watershed, which is where the proposed WSR segment is located.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding (MOU) with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Criteria 12: The contribution to river system or basin integrity.

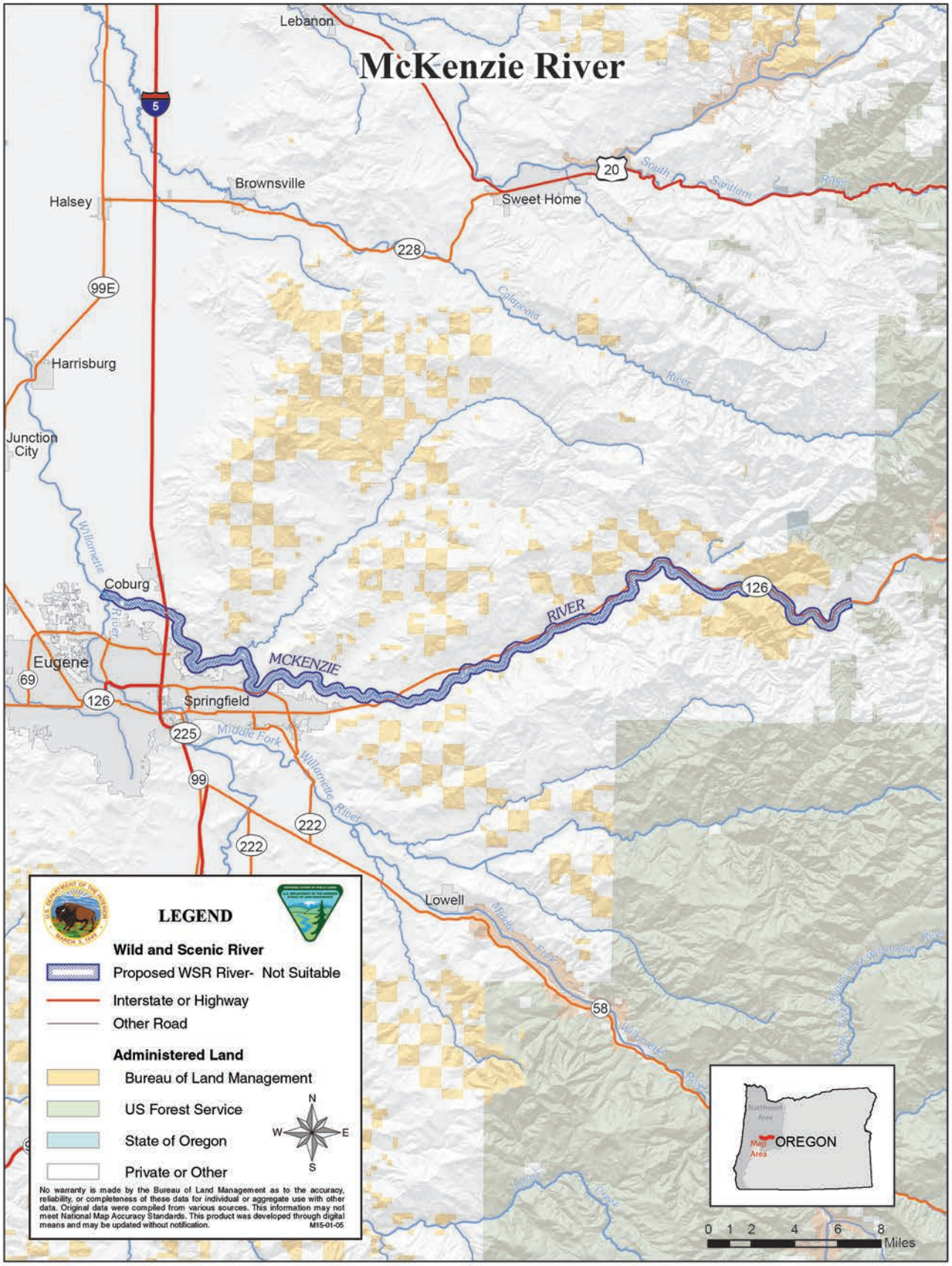
There is a designated Wild and Scenic River within the McKenzie River watershed managed by the United States Forest Service upstream from the subject river segment.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

McKenzie River Suitability Determination

Based on the information contained in this study, the BLM Eugene District finds McKenzie River Segment B to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The overall percentage of Federal ownership within the river is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river's water quality and outstandingly remarkable values.


McKenzie River
Lebanon
Brownsville
Halsey
Sweet Home
Harrisburg
Junction City
Coburg
Eugene
Springfield
Lowell
MCKENZIE
RIVER
Willamette
Calapooia
River
South Santiam
Middle Fork
Willamette River
5
20
228
99E
126
69
225
99
222
58
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
Private or Other
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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Nelson Creek Wild and Scenic River Suitability Determination

Table 19. Nelson Creek Wild and Scenic River suitability

Segment Name:	**Nelson Creek**
Segment Description:	Headwaters of Nelson Creek downstream to the confluence with Lake Creek
Total Segment Length:	9.72 miles
Length on BLM Land:	2.56 miles
Total Segment Area:	2,746 acres
Area on BLM Land:	833 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish
Description of ORVs:	The eligibility determination for the Nelson Creek segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fisheries ORV.

Nelson Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Fish:

Nelson Creek supports native anadromous fish runs including Coho Salmon and Chinook Salmon. Coho have been listed as threatened by the United States Fish and Wildlife Service.

Other River Values and Characteristics

Recreation: Other than some fishing, boating, and dispersed camping, recreation activities along this stretch of river do not exist. Recreation is not an outstandingly remarkable value associated with this river segment.

Setting, Access, and Development: Along the 9.7-mile Nelson Creek segment, approximately six bridges cross the riverbed for motorized passage. Public access to portions of the river corridor is legal where Federal, State, or County lands border the river. Access to a majority of the riverbed is possible via BLM and state lands. Access to the river may be restricted across private lands. Paved and graveled public roads are maintained by BLM (Road 17-8-14) and Lane County (Nelson Mtn. Road – 40% of access route). The western end of the creek segment is influenced by light agricultural and residential developments. The eastern end near the headwaters is a managed forested setting. The corridor is

predominantly rural interface. The segment is characteristic of both Roaded Natural and Rural as defined using the Recreation Opportunity Spectrum (ROS). The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. The river segment is free flowing.

This segment, as described, between the headwaters of Nelson Creek to the confluence of Lake Creek lies within T. 16 S., R. 7 W., Section 32; T. 17 S., R. 7 W., Sections 5 and 6; and T. 17 S., R. 8 W., Sections 1, 9 11, 12, 14, 15, and 16. Nelson Creek flows through a mix of BLM, industrial forest, State of Oregon, and small private lands. Weyerhaeuser and Roseburg Resources own the majority of the industrial forest lands within the stream corridor. Some of the sections are within an existing Right-of-Way Agreement and therefore, those companies have valid and existing rights. Under this agreement, new road construction may take place for the purposes of forest management. In fact, the headwaters of Nelson Creek lie within a section encumbered by an existing agreement.

Criteria 2: The status of land ownership and use in the area

Land ownership for this 9.72-mile segment is a combination of Federal, private, and State Department of Forestry lands (Table 20). Three BLM parcels cross the river within the corridor. Four lie within but do not border the riverbed. There are seven total BLM parcels, primarily at the eastern end of the creek. BLM manages 833.07 acres (30.3 percent) of the study area. The BLM manages 2.56 miles (26.3 percent) of shoreline.

Table 20. Land ownership within the Nelson Creek corridor

Ownership	Acres	Percentage
BLM	833.07	30.3%
Private	637.13	23.2%
Private Industry	209.11	7.6%
State Dept. of Forestry	1066.86	38.8%

The State of Oregon also owns land along the stream. The BLM has an existing Cooperative Right-of-Way Agreement with the State of Oregon-Board of Forestry, which allows the BLM access along roads that they own or control and vice versa. However, this does not seem to be much of a factor as the main road along the stream, Nelson Mountain Road, is a public county road (3670). The BLM does have an exclusive easement for road 17-8-1.4, which forks off of Nelson Mountain Road and accesses Sections 1, 11, 12 in T. 17 S., R. 8 W., and Sections 5 and 6 in T. 17 S., R. 7 W.

Several small landowner properties are adjacent to the creek. The BLM has acquired some easements and have given grants for ingress and egress. In addition, as stated in the report, there are numerous water rights a points of diversion.

There are no proposals for land exchange along the described segment. The Oregon State Water Resources Department records 10 water rights and 12 points of diversion on the 9.7-mile Nelson Creek segment from its headwaters to the confluence with Lake Creek (current condition based on a June 1, 2013 data run). Table 21. shows water types and uses. It is not advisable to count columns because one

water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 21. Water right uses and number of points of diversion

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Anadromous and resident fish rearing	1	1	10.9	
	Domestic	2	2	0.01	
	Irrigation	8	8	0.4484	
	Supporting aquatic life and recreation	1	1	15.0	
			Totals	**26.3584**	**0.0000**

The river segment contains diversions for irrigating private or other lands in accordance with state water right laws. Surface water diversions have been constructed in a manner enhancing fish habitat and do not impair the free flowing nature of the segment.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish values by protecting water quality and preserving in-channel habitat. Water right status and future applications may be limited with designation.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The Fisheries values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in criteria 9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in four locations over Nelson Mountain Rd., a thoroughfare that connects Highway 36 with Highway 126. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flowing condition, or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of the WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Nelson Creek segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that State or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

There is likely to be some increased cost of administering the area if designated. Currently, there are limited facilities designed to meet the needs of users. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, campgrounds, interpretation sites, trailheads, and trails.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the State of Oregon, including the Department of Environmental Quality would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State, and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lane County zoning along this segment of the creek is classified as Forest Lands (99%) and Rural Residential (1%). The residential zone lies on the western end of Nelson Creek.

The purposes of the Impacted Forest Lands Zone (F-2, RCP) are:

a. To implement the forest land policies of the Lane County Rural Comprehensive Plan and the forest land policies of the Eugene/Springfield Metro Area General Plan; and
b. To conserve forest land for uses consistent with Statewide Planning Goal #4, OAR 660-006 and ORS 215.700-755. Minimum size for new lots or parcels: 80 acres. Setback from property lines: 10 feet. Firebreak: (30 feet primary) + (100 feet secondary) = 130 feet total. Riparian Setback: 100 feet from ordinary high water. Special features: Firebreaks required for all structures. (Lane County Maps and Planning website)

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- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.
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Nelson Creek is not listed by DEQ as a 303d impaired water quality for temperature, turbidity, or sedimentation. Nelson Creek at one point was listed for flow modification and habitat modification but has been de-listed for both (water quality limited - not a pollutant).

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon Resource Management Plan (RMP) project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged

nearly 300 participants throughout the four recreation workshops and received 232 river-specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

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The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides BLM, no other Federal agency lands lie within the river corridor. The majority of land ownership along this river consists primarily of private land holdings (30.8%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation.

Oregon Department of Forestry (ODF). The ODF manages 1,067 acres (38.8%) within the Nelson Creek corridor. ODF is direct to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape provide a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil and clean water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and

constitutional standards ODF is directed to uphold. Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Criteria 12: The contribution to river system or basin integrity.

There are no designated Wild and Scenic Rivers within the Nelson Creek watershed nor have there been any legislative proposals for additional Federal protection of Nelson Creek or its tributaries.

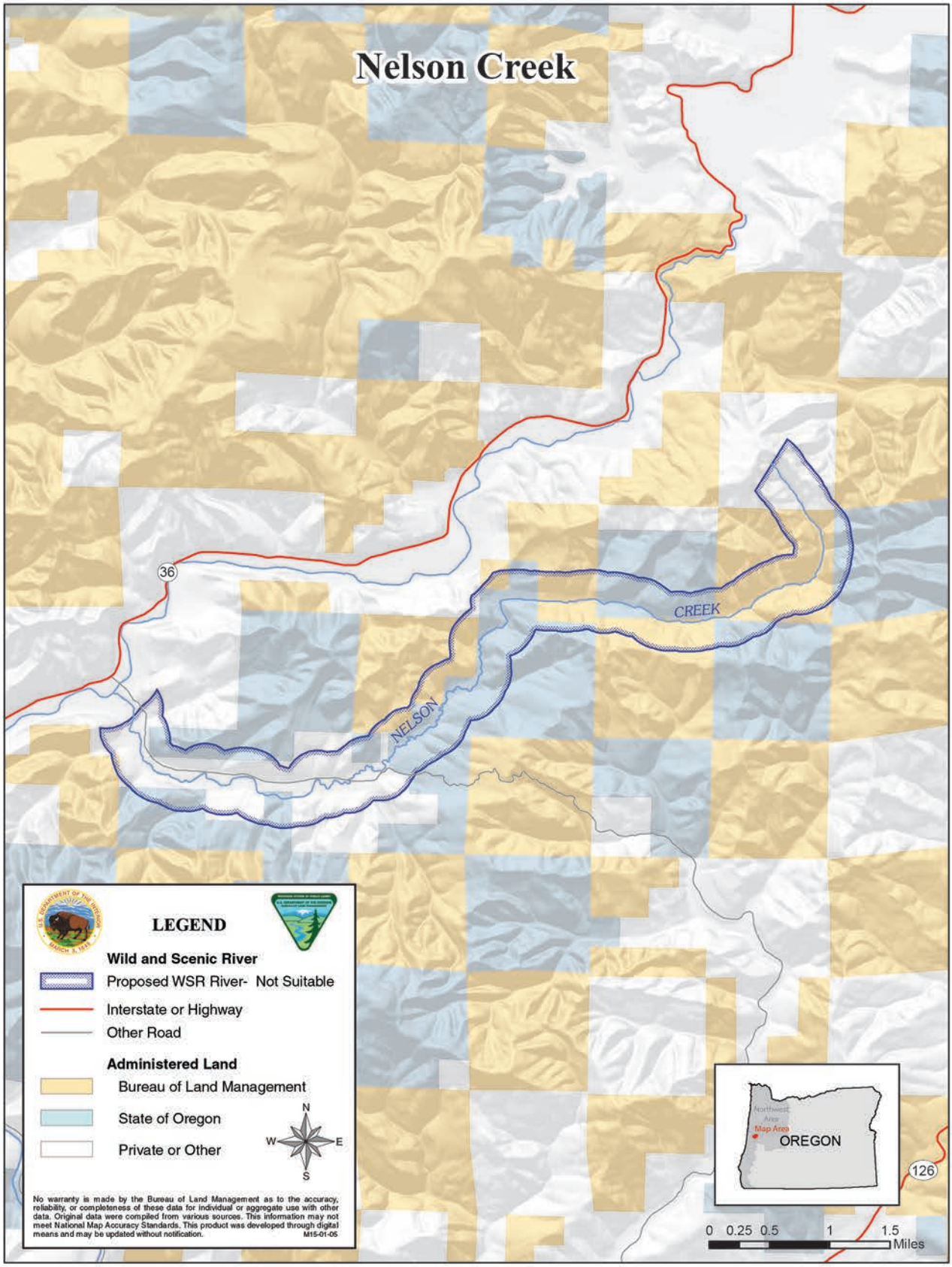
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Nelson Creek Suitability Determination

During this suitability analysis, it was determined that the fisheries resource no longer met the threshold for an outstandingly remarkable value. Fish habitat is not exemplary. Production of Chinook (non-listed) is low. Salmon stocks are not unique. From a fisheries standpoint, Nelson Creek does not contain any rare, unique, or exemplary features that support a designation.

Since fish have been determined to no longer be an Outstandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic River System.


Nelson Creek
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NELSON
CREEK
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LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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Map Area
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Miles

North Fork Gate Creek Wild and Scenic River Suitability Determination

Table 22. North Fork Gate Creek Wild and Scenic River suitability

Segment Name:	**North Fork Gate Creek**
Segment Description:	North Fork Gate Creek beginning in T. 16 S., R. 2 E., Section 23 downstream to confluence with South Fork Gate Creek
Total Segment Length:	1.68 miles
Length on BLM Land:	0.61 miles
Total Segment Area:	430.46 acres
Area on BLM Land:	199.25 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish
Description of ORVs:	The eligibility determination for the North Fork Gate Creek segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fish ORV.

North Fork Gate Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Fish: North Fork Gate Creek supports native anadromous fish runs including Coho Salmon, Chinook Salmon, and Steelhead. Coho have been listed as “threatened” by the United States Fish and Wildlife Service.

Other River Values and Characteristics

Recreation: This area is not presently known for remarkable recreation attributes. However, a Recreation Site Inventory and Evaluation conducted by the BLM in 1964 proposed development of a campground within the study area. Public access is prevented by means of a locked gate located at the confluence of North Fork Gate Creek and South Fork Gate Creek. This impediment was cited in the 1964 study as a major problem to be solved prior to development.

Setting, Access, and Development: Along the 1.68-mile North Fork Gate Creek, there are no bridges or creek crossings. Public access to the creek is available from adjacent forest roads. Some roads are private. Access may be restricted to the creek. The small community of Vida is located less than 3 miles southwest of the creek. It contains a grocery store, post office, gas station, residences, a rural fire station,

and café. The predominant use of the corridor and surrounding area is forest management. The setting is Roaded Natural with a network of gravel roadways that wind through the hillsides between managed timber lands. The landscape is generally natural with modifications moderately evident. Concentration of users is low. A line of trees along the creek's riparian zone barely provides a buffer from timber harvest activities. No agricultural, residential, recreation or business developments are noted in the area. The short creek segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 1.68-mile segment is a combination of Federal and private lands (Table 23). BLM manages one parcel of land on the north end of the creek, which crosses both sides of the river. BLM manages 199.25 acres (46.3 percent) of the creek study area. The BLM manages shoreline along 0.61 miles (36.3 percent) for this segment.

Table 23. Land Ownership within the North Fork Gate Creek corridor

Ownership	Acres	Percentage
BLM	199.25	46.3 %
Private Individual	68.54	15.9 %
Private Industrial	162.67	37.8 %

This segment, as described, beginning in T. 16 S., R. 2 E., Section 23 downstream to the confluence with South Fork Gate Creek, flows through a mix of BLM and industrial forest lands. Weyerhaeuser and Guistina Land and Timber Company own the majority of the industrial forest lands adjacent to this segment of the stream. Most of Section 24, and the entire portion of which the stream runs, is within an existing Reciprocal Right-of Way Agreement. Therefore, the permittee would have valid existing rights of access for the purposes of managing their lands. Also under this agreement, any new road construction may take place for the purposes of forest management. The 16-2E-26 Road, which lies adjacent to the stream, is not owned or controlled by the BLM; nor does the BLM have an easement for public access.

The Oregon State Water Resources Department records no water rights or points of diversion on the 1.68-mile North Fork Gate Creek from its headwaters to Gate Creek.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

<u>Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)</u>
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish values by protecting water quality and preserving in-channel habitat.

<u>Uses That Would Be Foreclosed by Designation</u>
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and

Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic, fisheries, and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would be Curtailed by Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced. Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. It is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flowing condition or water quality).

In-channel projects on private land that have direct Federal involvement (such as permitting or funding) would require evaluation under the "direct and adverse" standard of the WSR ACT Section 7. Projects

such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the North Fork Gate Creek segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that State or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

There is likely to be some increased cost of administering the area if designated. Currently, there are limited facilities designed to meet the needs of users. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, campgrounds, interpretation sites, trail heads, and trails.

Land Acquisition: Cost of acquiring land (just the purchase price and not the administrative cost) is based on an appraisal that determines fair market value to assure the Government will deal fairly and equitably with each landowner. There is a minimum offer of $1,000.00 that the BLM has established. At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the State of Oregon, including the Department of Environmental Quality, would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lane County zoning along this segment of the river is classified as Non-impacted Forest Lands (100%). The purpose of the Non-impacted Forest Lands District (F-1, RCP) is:

a. To implement the forest land policies of the Lane County Rural Comprehensive Plan, and the forest land policies of the Eugene/Springfield Metro Area General Plan.
b. To conserve forest land for uses consistent with Statewide Planning Goal 4. Minimum size for new lots or parcels: 80 acres. Setback from property lines: 10 feet. Minimum firebreak: (30 feet primary) + (100 feet secondary) = 130 feet total. Riparian Setback: 100 feet from ordinary high water. No new dwellings allowed, but existing dwellings can be maintained.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.
- Oregon State Water Resources Department. OWRD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The Federal government cannot manage or regulate private lands within a designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter

340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon Resource Management Plan (RMP) project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to North Fork Gate Creek during this multi phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides BLM, no other agency lands lie within this river corridor. The majority of land ownership along this river consists primarily of private industrial and private individual land holdings (53.7%). Current uses and common management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to current private land uses.

A Water Quality Restoration Plan (WQRP) was completed in April 2008 by the Salem and Eugene BLM Districts. The Willamette Basin WQRP covers the McKenzie River Subbasin, which includes the McKenzie River watershed, which is where the proposed WSR segment is located. Even without designation as a WSR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this creek or river. The Plan identifies implementation strategies to achieve this goal. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards.

Oregon Department of Environmental Quality. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU. Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Criteria 12: The contribution to river system or basin integrity.

There are no designated Wild and Scenic Rivers within the Gate Creek basin nor have there been any legislative proposals for additional Federal protection of North Fork Gate Creek or its tributaries.

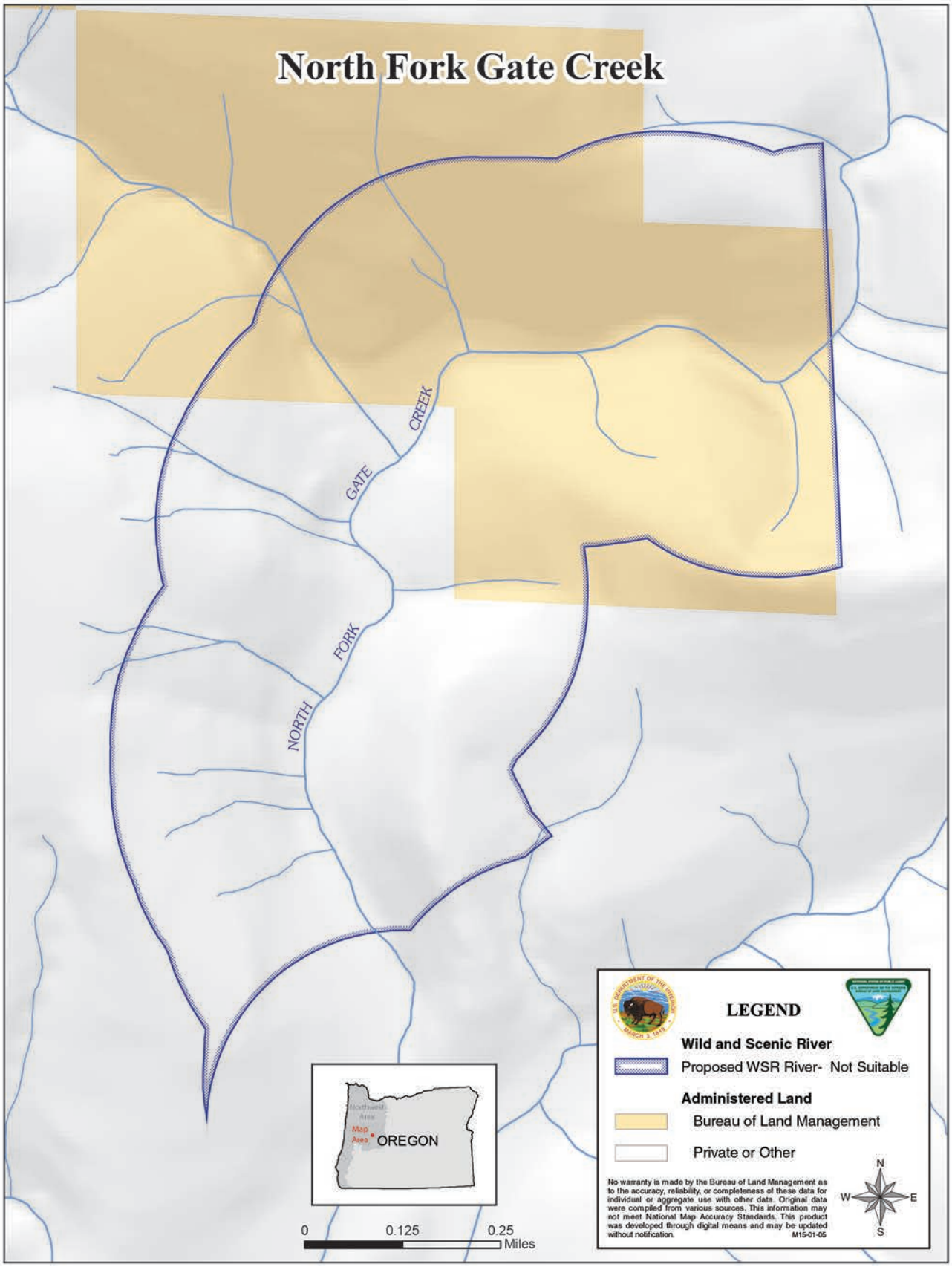
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

North Fork Gate Creek Suitability Determination

During this suitability analysis, it was determined that the fisheries resources on North Fork Gate Creek no longer met the threshold for an outstandingly remarkable value. North Fork Gate Creek has been altered substantially and is lacking large wood debris for fish habitat. The majority of the system is managed for timber production by private industrial forest companies with only small areas under public management. Although this segment has available habitat for steelhead and Spring Chinook Salmon, the habitat serving these species has been highly altered particularly where private lands are adjacent in the lower stretch of this segment. From a fisheries habitat and species standpoint, North Fork Gate Creek does not contain any rare, unique, or exemplary features that support a designation.

Since fish are no longer an Outstandingly Remarkable Value, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


North Fork Gate Creek
NORTH FORK GATE CREEK
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Administered Land
Bureau of Land Management
Private or Other
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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South Fork Gate Creek Wild and Scenic River Suitability Determination

Table 24. South Fork Gate Creek Wild and Scenic River suitability

Segment Name:	South Fork Gate Creek
Segment Description:	South Fork Gate Creek beginning in T.16 S., R. 2 E., section 24 downstream to the confluence with North Fork Gate Creek
Total Segment Length:	2.06 miles
Length on BLM Land:	0.63 miles
Total Segment Area:	679.82 acres
Area on BLM Land:	107.72 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish
Description of ORVs:	The eligibility determination for the South Fork Gate Creek segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fish ORV.

South Fork Gate Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Fish: South Fork Gate Creek supports native anadromous fish runs including Chinook Salmon, and steelhead

Other River Values and Characteristics

Recreation: This area is not presently known for remarkable recreation attributes. Public access is prevented by means of a locked gate located at the confluence of South Fork Gate Creek and North Fork Gate Creek.

Setting, Access and Development: Along the 2 mile South Fork Gate Creek, no bridges cross over the creek. Public access to the creek is possible by adjacent forest roads. A network of gravel roadways meander the hillsides from timber harvest activities. There are no communities in the vicinity. The primary use of the landscape is forest management down to the riparian zone of the creek. The setting is Roaded Natural. The landscape is generally natural with modifications moderately evident. Concentration of users is low. Trees border the creek in the riparian zone where timber has not been harvested. No

agricultural, residential, recreation or business developments are located in the area. The entire river segment is free flowing (Google Earth, 2013 G. Morgan).

Criteria 2: The status of land ownership and use in the area.

Land ownership for this short segment is a combination of Federal, private, and State lands (Table 25). The BLM manages 0.63 miles (30 percent) of shoreline. One BLM parcel lies at the east end of the river and crosses the creek to both sides. BLM manages 107.72 acres (15.8 percent) of the study area.

Table 25. Land ownership within the South Fork Gate Creek corridor.

Ownership	Acres	Percentage
BLM	107.72	15.8%
Private Individual	278.38	41.0%
Private Industrial	260.15	38.3%
USFS	33.57	4.9%

This segment, as described, beginning in T. 16 S., R. 2 E., Section 24 downstream to the confluence with North Gate Creek, flows through a mix of BLM and industrial forest lands. Weyerhaeuser and Giustina Land and Timber Company own the majority of the industrial forest lands adjacent to this segment of stream. Most of Section 24 and the entire portion of which the stream runs, is within an existing Reciprocal Right-of-Way Agreement. Therefore, the permittee would have valid existing rights of access for the purposes of managing their lands. In addition, under this agreement any new road construction may take place for the purposed of forest management.

The 16-2E-26.3 road, which lies adjacent the stream, is not owned or controlled by the BLM and we do not have an easement for public access for recreational purposes.

The Oregon State Water Resources Department records no water rights or points of diversion on the 2 mile South Fork Gate Creek from So. Fork to Gate Creek.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

<u>Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)</u>
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish values by protecting water quality and preserving in-channel habitat.

<u>Uses That Would Be Foreclosed by Designation</u>
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic, fisheries and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced. Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. It is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORVs, free flowing condition or water quality).

In-channel projects on private land that have direct Federal involvement (e.g., permitting or funding) would require evaluation under the "direct and adverse" standard of the WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the South Fork Gate Creek segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

It is not expected that state or local agencies would share in the costs of river administration at this time.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

There is likely to be some increased cost of administering the area if designated. Currently, there are limited facilities designed to meet the needs of users. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, campgrounds, interpretation sites, trail heads, and trails.

Land Acquisition: Cost of acquiring land (just the purchase price and not the administrative cost) is based on an appraisal that determines fair market value to assure the Government will deal fairly and equitably with each landowner. There is a minimum offer of $1,000.00 that the BLM has established. At this time, is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental Quality, would be pursued should the river be designated. In addition, cooperative efforts

would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lane County zoning along this segment of the river is classified as Non-impacted Forest Lands (100%). The purpose of the Non-impacted Forest Lands District (F-1, RCP) is:

a. To implement the forest land policies of the Lane County Rural Comprehensive Plan, and the forest land policies of the Eugene/Springfield Metro Area General Plan.
b. To conserve forest land for uses consistent with Statewide Planning Goal 4. Minimum size for new lots or parcels: 80 acres. Setback from property lines: 10 feet. Minimum firebreak: (30 feet primary) + (100 feet secondary) = 130 feet total. Riparian Setback: 100 feet from ordinary high water. No new dwellings allowed, but existing dwellings can be maintained.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridors and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. OWRD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The State of Oregon through the Oregon Department of Environmental Quality has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

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Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon Resource Management Plan (RMP) project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service—Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to South Fork Gate Creek during this multi-phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

An isolated thirty-three acres of USFS lands lay within the South Fork Gate Creek eligible corridor. The Willamette National Forest has not inventoried this creek for eligibility. No other agency lands are near this river. The majority of land ownership along this river consists primarily of private and private industrial land holdings (79%). Current uses and management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due private and private industrial ownership.

A Water Quality Restoration Plan (WQRP) was completed in April 2008 by the Salem and Eugene BLM Districts. The Willamette Basin WQRP covers the McKenzie River Subbasin, which includes the McKenzie river watershed, which is where the proposed WSR segment is located. Even without designation as a WSR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this creek or river. The Plan identifies implementation strategies to achieve this goal. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU. Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Criteria 12: The contribution to river system or basin integrity.

There are no designated Wild and Scenic Rivers within the Gate Creek basin nor have there been any legislative proposals for additional Federal protection of South Fork Gate Creek or its tributaries.

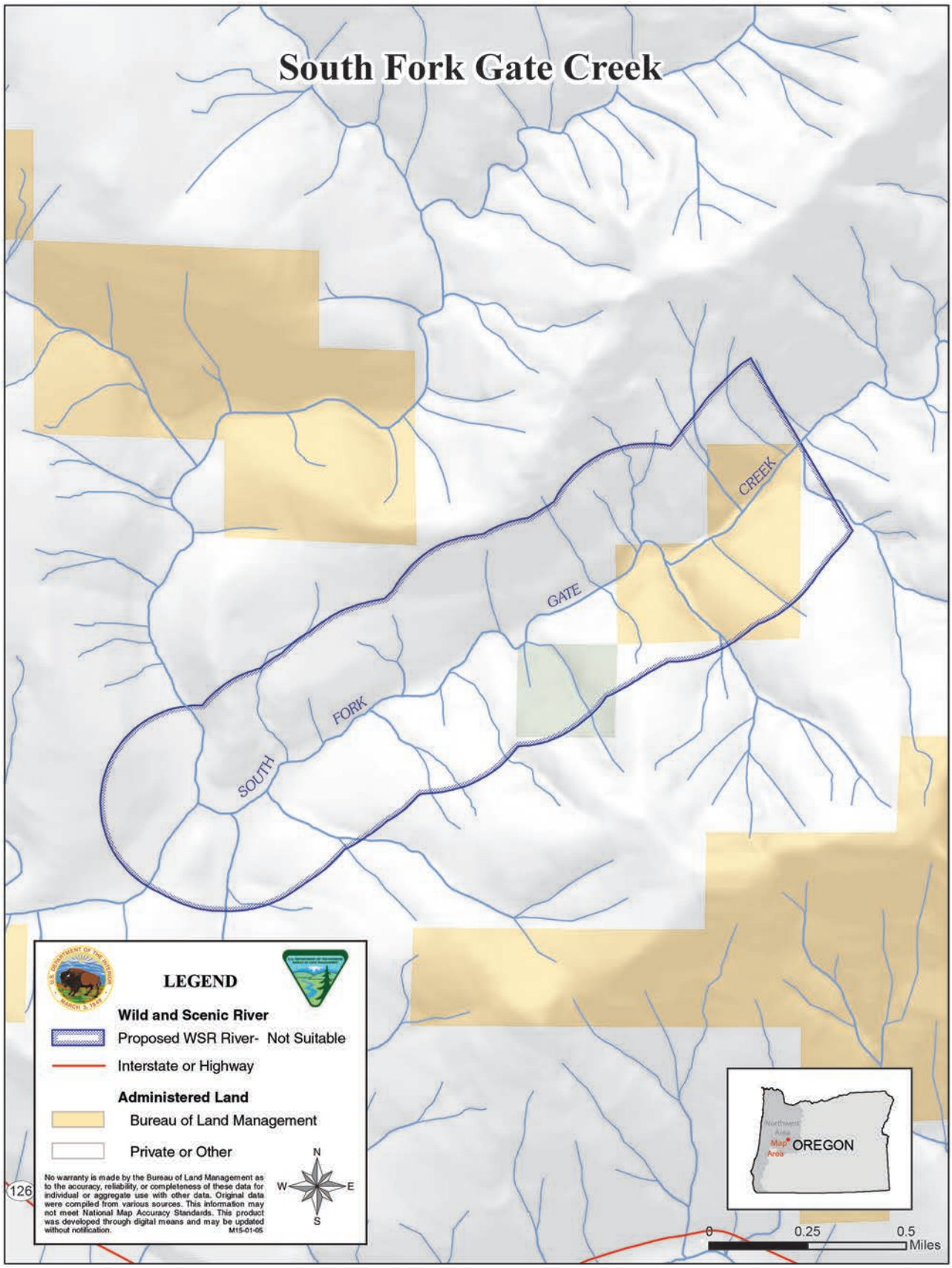
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

South Fork Gate Creek Suitability Determination

During this suitability analysis, it was determined that the fisheries resources on South Fork Gate Creek no longer meet the threshold for an outstandingly remarkable value. South Fork Gate Creek has been altered substantially and is lacking large woody debris for fish habitat. The majority of the stem is managed for timber by private industrial forest companies with only small areas being publicly managed. Although this segment has available habitat for steelhead and Spring Chinook Salmon, the habitat serving these species has been highly altered particularly where private lands abut in the lower stretch of the segment. From a fisheries habitat and species standpoint, South Fork Gate Creek does not contain any rare, unique, or exemplary features that support a designation.

Since fish are no longer an Outstandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


South Fork Gate Creek
SOUTH
FORK
GATE
CREEK
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Administered Land
Bureau of Land Management
Private or Other
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05
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126
Northwest Area
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Salem District Wild and Scenic River Suitability Reports

Alsea River Wild and Scenic River Suitability Determination

Table 26. Alsea River Wild and Scenic River suitability

Segment Name:	**Alsea River**
Segment Description:	Main-stem from confluence of North and South Fork Alsea River to the Siuslaw National Forest boundary.
Total Segment Length:	16.5 miles
Length on BLM Land:	1.13 miles
Total Segment Area:	4,905.29 acres
Area on BLM Land:	403.79 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for this segment of the Alsea River was made during the BLMs 1990 Land Use Planning study. In order to facilitate a better understanding of the river values, this report includes a description of the fisheries and recreation ORVs for the Alsea River segment.

Alsea River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Alsea River flows 48.5 miles from Alsea, an unincorporated community in the coastal mountains of the State of Oregon, to the Pacific Ocean near the city of Waldport. It begins at the confluence of the North Fork Alsea River and the South Fork Alsea River and ends in Alsea Bay, a wide estuary at Waldport. The river flows generally west-northwest in a winding course through the mountains of southern Benton and Lincoln counties, passing near the unincorporated community of Tidewater and through the Siuslaw National Forest. Its drainage basin extends into Lane County, along the headwaters of the South Fork Alsea River.

Outstandingly Remarkable Values

Recreation: The Alsea River is one of the most heavily used by recreational anglers and drift boaters in the North Coast region and ranks as one of the top destinations in Oregon. A review of available user information and guidebooks indicates users regularly travel from outside the region to participate. Access to the river is easy with numerous boat ramps and public recreation facilities. Various Federal and local

facilities allow for good river access within this river segment, including BLM's Missouri Bend site. Based on the popularity of the river for angling, it has been determined that recreation is an outstandingly remarkable value.

Fish: The status of Oregon Coast (OC) coho salmon is "Threatened" under the Endangered Species Act; in addition, Oregon Coast steelhead is a Bureau Sensitive Species. Both species rear and migrate through this segment of the Alsea River. The Alsea River has been designated Critical Habitat for OC coho salmon. Spring and Fall chinook are present in the Alsea River in this segment as well as cutthroat trout and Pacific lamprey. The presence of listed species, Bureau Sensitive Species, and the diversity of salmonid species in the Alsea River indicate fisheries remains an outstandingly remarkable value. It is currently one of the top producers of winter steelhead and chinook salmon in the region, although most of the Chinook harvest occurs in the bay.

Wildlife: Populations of indigenous wildlife species found within the river corridor are not of regional or national importance and overall wildlife habitat is only fair. No threatened or endangered wildlife species are known to inhabit the river corridor. The wildlife resource of this river corridor is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database.

Other River Values and Characteristics

Botanical: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC)

Scenic: The scenic quality of this segment of the Alsea River corridor has received a "B" rating in the Visual Resources Handbook, 11-8410-01. The scenic value of this river corridor is less than outstandingly remarkable.

Setting: Alsea River Access, and Development. Along the 16.5-mile Alsea River, three transportation bridges and one pedestrian bridge cross the river. All bridges span the riverbed. Public access to portions of the river occurs where Federal, State, or County lands border the river. Access to the majority of the river may be restricted by private land ownership. Public roads are maintained by the State (Alsea Highway 34), and other Lincoln and Benton County roads, which parallel the river segment. The town of Alsea lies on the eastern end of the river segment. The corridor is heavily dominated by tree farms. The setting is rural residential and agricultural with substantial clearings and developments. The tree farm industry complements the naturalness of the surrounding hills and mountains. The area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. The Missouri Bend Recreation Site borders the river for 0.7 mile. The river segment is free flowing (Google Earth, 2013 G. Morgan).

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 16.5-mile segment is a combination of Federal, private, local government, State, and Water lands (Table 27). Two BLM parcels cross the river to the other shoreline; one parcel borders one side, and four more parcels lie within the river corridor but have no contact with the riverbed. All but one of these seven lies on the western end of the river. One is at the far east end. BLM manages 403.79 acres (8.2 percent) within the river corridor. The BLM manages 1.13 miles (6.8 percent) of shoreline.

Table 27. Land Ownership within the Alsea River corridor.

Ownership	Acres	Percentage
Bureau of Land Management	403.8	8.2%
Local Government	10.3	0.2%
Private	2,707.8	55.2%
Private Industry	1,702	34.7%
Private Non-Industrial	26.9	0.5%
State	12.9	0.3%
USFS	41.3	0.8%
Totals	**4,905**	**-**

Oregon State Water Resources Department records show 76 water rights and 92 points of diversion on the Alsea River segment with a run date of June 1. Use types include 1 ground water permit, 2 storage permits, and 73 surface water permits. Sixty percent of water use is for irrigation while the remaining uses include domestic, livestock, recreation and anadromous fish rearing. One permit may have multiple uses and points of diversion.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes

upon the river channel in at least three locations, including a bridge on BLM-administered land in T. 7 S., R. 8 W., Section 32. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered lands could be limited or foreclosed if the projects degrade river values (ORV's, free flow, or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the entirety of the Alsea River were added to the National Wild and Scenic Rivers System, the US Forest Service would be most suited to manage the land and resources within this boundary, unless Congress designated another agency. If only this segment were added to the National System, the BLM would be most suited for management.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned or managed by the USFS, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

The Siuslaw National Forest has determined a 75-mile segment of the Alsea River downstream of the BLM segment to be eligible for possible inclusion into the National WSR system (see Criteria 10). If the river were designated, future planning and management of the river would likely be undertaken in conjunction with US Forest Service. Coordination with several subdivisions of the State of Oregon, including the Department of Environmental Quality would be pursued should the river be designated.

If the river were not added to the National Wild and Scenic Rivers System, Federal, state and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Alsea River lies in two counties: Benton (94 percent) and Lincoln (6 percent).

Within Benton County, zones have been identified along the Alsea River as:

- Exclusive Farm Use (40 percent)
- Multi-purpose Agricultural, (28 percent)
- Forest Conservation (26 percent)
- Rural Residential-2 (6 percent)

Percentages are approximate.

The Exclusive Farm Use Zone preserves lands for continued and future commercial agricultural production and related uses, and conserves open space, wildlife habitats, and other uses associated with agriculture. Except as otherwise provided by this code, the Exclusive Farm Use Zone shall preserve and maintain areas classified for farm use free from conflicting nonfarm uses and influences.

The Multi-Purpose Agriculture Zone preserves lands for continued agricultural and forestry uses; conserve and protect open space, wildlife habitats, and other uses associated with agriculture; encourage continued development of the local agricultural base; and protect and preserve the social and economic base of the community.

The Forest Conservation Zone conserves forest lands, promotes the management and growing of trees, supports the harvesting of trees and primary processing of wood products, and protects the air, water, and wildlife resources in the zone. Further zone information: http://gis.co.benton.or.us/ZoningMap/index.htm.

Lincoln County has zoned lands along the Alsea River as:

- Timber Conservation (65 percent)
- Agricultural Conservation (25 percent)
- Residential (10 percent)

The thin corridor of Residential lies along the river. Agricultural Conservation lies on the western end of the river segment. The eastern end is Timber Conservation.

Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners, and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Agricultural Conservation goals are to preserve and maintain agricultural lands and to conserve and improve the existing commercial agricultural enterprise within the area. Lincoln County preserves and maintains agricultural land for farm use consistent with existing and future needs for agricultural products, forest, and open space. Where rural residences can be accommodated on land within agricultural areas not suited for agriculture or commercial timber production, such residences are allowed if they pose no threat of conflict with prevailing farm and forest practices. See: http://www.co.lincoln.or.us/counsel/page4.html Chapter 1.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
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- Reforestation, and
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Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Alsea River were generally supportive of designation. Three comments were received that either indicated direct support for designation or for protection of the river's fisheries. The Alsea Watershed Council has interest in the aquatic conservation of the Alsea River. It is dedicated to improving the health of streams and watersheds in the mid-coast area. The Mid coast watershed Council has many partners that have helped with salmon restoration, preservation, investigation, education and conservation in Oregon's rivers.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

A determination of eligibility on the Alsea River was made by the Siuslaw National Forest in its draft Forest Plan, 1990. A 75-mile segment of the river was found to be eligible. The river flows beyond USFS boundaries and includes additional private, BLM, and State lands. A USFS suitability study was not completed, nor is the USFS planning one. However, a study may be considered as part of a Forest Plan

Revision later. The Forest has indicated that a BLM determination of suitability on this river would not conflict with its plans, programs, or policies. The Forest would desire to be a partner in any suitability studies and public engagement (Communication with Stacey L. Forson, Recreation, Heritage & Lands Staff Officer, Siuslaw National Forest, July 2013). Both the FS and BLM follow management prescriptions of the Northwest Forest Plan. Management actions are consistent.

Besides BLM and the small amount of USFS, other agency lands include the State of Oregon (12.9 acres) and 10 acres of local government lands.

The majority of land ownership along this river consists primarily of private industry and other private land holdings (90.4 percent). On these lands, uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Environmental Protection Agency. The EPA, as part of the President's "UNITED WE SERVE" Initiative has developed a program called *Adopt Your Watershed*. It provides a toolkit for groups to serve their communities by taking part in activities to protect and restore local watersheds. http://water.epa.gov/action/adopt/index.cfm.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Agreement with the DEQ that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOA. Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

A Water Quality Restoration Plan was completed by the Salem District, which covered the Alsea Watershed. Even without designation as a WSR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this creek or river. The Plan identifies implementation strategies to achieve this goal. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards.

Northwest Power and Conservation Council. The Council has designated this segment of the Alsea River as a "protected area" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account

to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

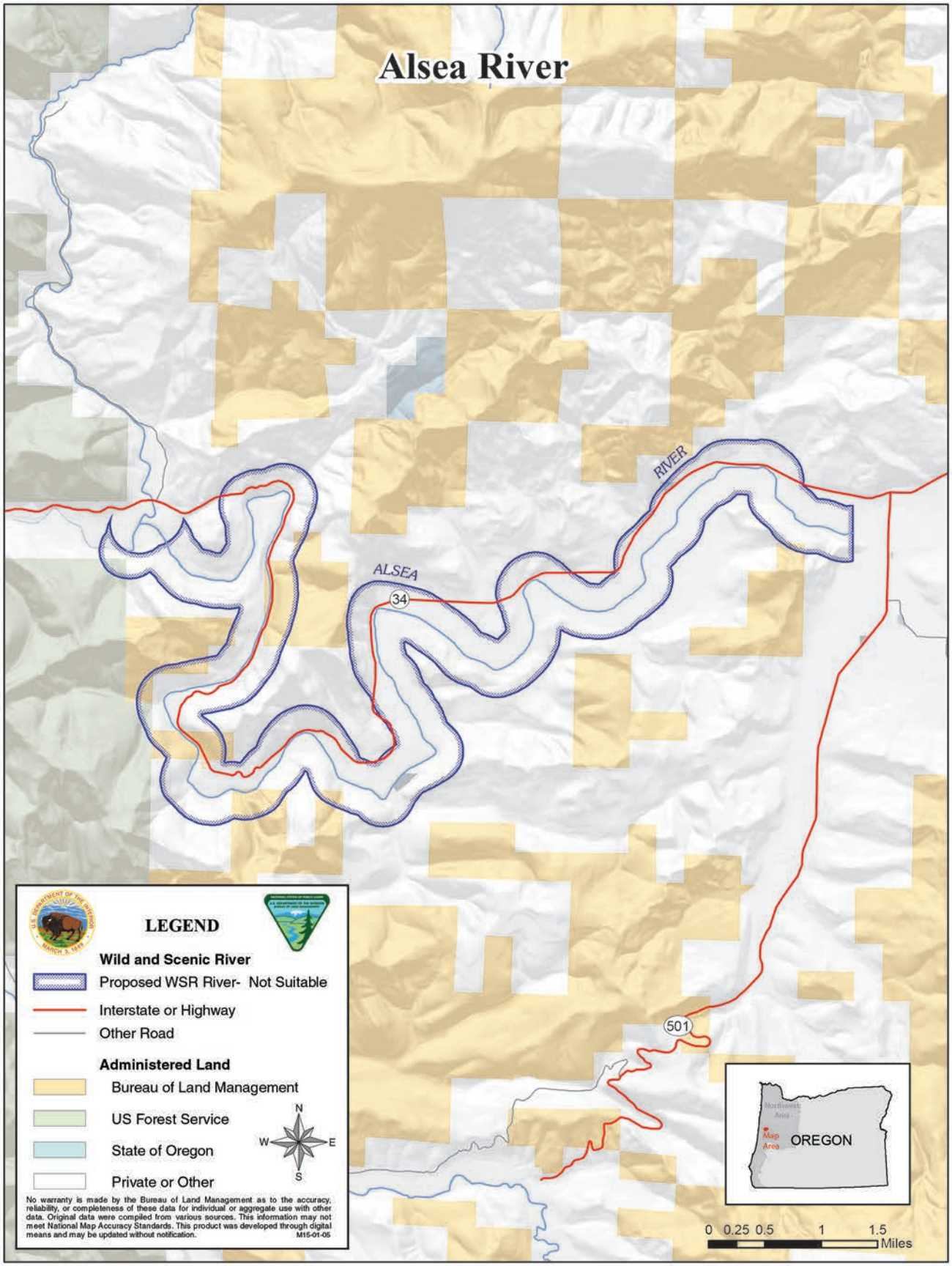
There are no designated Wild and Scenic Rivers within the Alsea River watershed nor have there been any legislative proposals for additional Federal protection of the Alsea River or its tributaries.

Criteria 13: The potential for water resources development.

The BLM, in this study, did not identify any plans for significant water development in the segment.

Alsea River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Alsea River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The river's free flowing condition, water quality and outstandingly remarkable fisheries and wildlife values would be protected through designation. It has been determined that in conjunction with administrative measures (such as designation of the Valley of the Giants Area of Critical Environmental Concern) WSR designation is not the best method for protection of the river corridor.


Alsea River
ALSEA
RIVER
34
501
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05
Northwest Area
Map Area
OREGON
0 0.25 0.5 1 1.5
Miles

Clackamas River Wild and Scenic River Suitability Determination

Table 28. Clackamas River Wild and Scenic River suitability.

Segment Name:	Clackamas River
Segment Description:	The segment runs from River Mill Dam (T. 3 S., R. 4 E., Section 20) downstream to Baker Bridge (T. 2 S., R. 2 E., Section 13).
Total Segment Length:	14.53 miles
Length on BLM Land:	0 miles
Total Segment Area:	4,528.18 acres
Area on BLM Land:	30.44 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for the Clackamas River segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Recreational, Fish, and Wildlife ORVs.

Clackamas River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Clackamas River is an 83-mile tributary of the Willamette River in northwestern Oregon. Draining an area of about 940 square miles, the Clackamas flows through mostly forested and rugged mountainous terrain in its upper reaches, and passes agricultural and urban areas in its lower third. It flows into the Willamette River near Oregon City and is the namesake of Clackamas County.

Outstandingly Remarkable Values

Fish: The Clackamas River retains its outstandingly remarkable value for fisheries, although the emphasis has shifted from the production of salmon and steelhead for recreational fisheries, to include managing populations and habitats of three species listed as threatened under ESA: coho salmon, spring Chinook salmon, and winter steelhead trout. There is presence of a late winter run coho that is a rare native stock of salmon. This stock was originally found throughout the Lower Columbia River drainage but is now limited only to the Clackamas River and its tributaries. At the same time the Clackamas River retains its regional importance for providing sports fisheries for hatchery runs of coho, spring Chinook, summer and winter steelhead, which were established in large part to mitigate for impacts to fisheries resulting from the construction of River Mill, and North Fork Dams and associated reservoirs.

Recreation: The Clackamas River is one of the most popular rivers for public recreation in the Pacific Northwest. It is a destination for a number of activities including bank and drift angling, whitewater boating and riverside picnicking. In addition to the identified activities, the segment offers some of the most popular opportunities for swimming and water play to the point of overuse. Visitors from outside the region seek out the river for angling and boating opportunities. Major recreation facilities are located along this segment including Milo McIver State Park and Barton Park. Based on these factors, it has been determined that recreation is an outstandingly remarkable value.

Wildlife: The lower portion of this river segment provides very good habitat for the great blue heron, but the population of great blue heron found within this river segment is not of regional or national importance. In addition, no population of nationally or regionally important wildlife species, and no threatened or endangered wildlife species is known to inhabit this river corridor, and overall wildlife habitat is of less than exceptional quality. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Other River Values and Characteristics

Botanical: There are no documented occurrences of state or Federal listed rare plant species within the river corridor. A historical siting for thin-leaved peavine (*Lathyrus holochlorus*) is reported within the river corridor, but this species typically is not found in riparian or river dependent habitats. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC)

Scenic: The scenic quality of this segment of the Clackamas River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

River Corridor Setting – Clackamas River Access and Development: Along the 14.5-mile Clackamas River segment, two bridges cross the river. Midway in the segment, a metal three tower with nine power lines spans the river. Land under the power lines is cleared of trees. There are no parallel roads that provide views of the river; however, The Clackamas Highway (242) generally follows the river on the north side of the river at a setback distance of 1/8 to over ½ mile from the river. Much of the access to the riverbed is restricted by private lands. The majority of the river corridor falls in a rural setting. The area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. Crops and agricultural developments with residences border the river. The riparian zone along the river is lined with trees and vegetation, which buffers and compliments the rural settings. The only community within the river corridor is Carver at the west end. It has residential developments along the river. Closer to the Mill River dam on the east end is the unincorporated community of Eagle Creek, which lies ¾ mile outside the river corridor. Four recreation areas or parks lie within the river corridor. They include Pidgeon Park, Barton State Park, Bonnie Lure State Recreation Area, and the Mile McIver State Park. All but the Barton State

Park border the riverbed. The segment has also been designated by Oregon State as the Clackamas River Scenic Waterway (12 miles). Spread out intermittently along the river, particularly on the west end are additional developments, including a restaurant, realty business, private residences, parking lots, quarry's and several farming operations. The segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 14.53-mile segment is primarily characterized by private, small tract ownership interspersed parcels under State, local, and Federal management. Much of the land within the corridor is developed for residential or agricultural usage.

The BLM manages a very small portion of the lands within the river corridor (Table 29). The BLM manages 0 miles (0 percent) of shoreline along this segment. One BLM 30-acre parcel near Eagle Creek lies within the corridor. It has a sharp point that nearly borders the riverbed through a marshy area. One roadway penetrates the BLM section, but is over 1/2 mile from the riverbed. BLM manages 30.44 acres (0.07 percent) within the river corridor.

Table 29. Land Ownership within the Clackamas River corridor

Ownership	Acres	Percentage
BLM	30.44	0.7%
Bonneville Power Administration	22.61	0.5%
Local Government	539.61	12.0%
Private Individual or Company	331.63	7.3%
Private Industry	143.71	3.2%
Private Non-Industrial	2,864.36	63.6%
State	93.33	2.1%
State Dept. of Parks and Recreation	502.48	11.1%

The Oregon State Water Resources Department records approximately 80 water rights and 86 points of diversion on the Clackamas River segment from River Mill Dam (T. 3 S., R. 4 E., Section 20) downstream to Baker Bridge (T. 2 S., R. 2 E., Section 13). Run date is June 1. Table 30. shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 30. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Agriculture Uses	2	2	0.1	
	Fish Culture	1	1	0.8244	
	Industrial/Manufacturing Uses	2	2	0.108	
	Irrigation	7	7	0.7254	
	Mining	2	2	0.311	
	Nursery Uses	3	3	0.2064	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Storage	Fish Culture	1	1	0	2
	Recreation	1	1	0	4.3
Surface Water	Domestic	8	8	0.148	
	Domestic Including Lawn and Garden	1	1	0.005	
	Fire Protection	1	1	0.01	
	Fish Culture	3	3	50.01	
	Industrial/Manufacturing Uses	1	1	0.4	
	Irrigation	48	48	6.79	
	Livestock	1	1	0.005	
	Power Development	3	3	0.075	
	Recreation	1	1	0	
				59.7	**6.3**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated because of less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration. The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished

or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced. Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. However, the current road system under BLM administration does not intrude upon the river corridor.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Clackamas River segment was added to the National Wild and Scenic Rivers System, the BLM, Salem District would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the Clackamas River be designated, it is expected that the state of Oregon and Clackamas County would be approached for assistance in the administration of the river. No detailed cost estimates or potential division of responsibilities has been prepared as part of this study.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the State of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

The State of Oregon has designated the river as the Clackamas River Scenic Waterway (OAR736-040-0076). The segment of the Scenic Waterway extending from River Mill Dam downstream approximately 12 miles to Bakers Bridge at Carver is classified as a Recreational River Area. The Recreational River Area will be administered consistent with the purposes of OAR 736-040-0040(1)(c)(B). Within this area, new structures and improvements, mining operations and timber harvesting activities shall be permitted only when substantially screened from view from the river by topography or vegetation. If no such topographic or vegetative screening exists on a site, the structure or improvement may be permitted if vegetation is established which will provide substantial screening to the proposal in a reasonable time (for example, 2–3 years). The condition of "substantial vegetative screening" shall consist of an ample density and mixture of native evergreen and deciduous vegetation to totally obscure or allow only a highly

filtered view of the proposed structures or improvements. Developments necessary for public outdoor recreation, as provided by public agencies, and resource protection may be visible from the river but must blend into the natural scene as much as possible.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Clackamas County has zoned lands along the Clackamas River segment as:

- Timber HL (64%)
- Exclusive Farm Use HL (20%)
- Rural Residential /Farm Forest 5 acre (15%)
- Agriculture/Forest (1%)
- Rural Commercial (<1%)

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. The OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Clackamas River were generally supportive of Wild and Scenic River designation, with a focus on maintaining access for recreational purposes. In total, 8 comments specific to the river segment were submitted, one of the highest river-specific totals as part of this effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides BLM, there are multiple local, State and Federal landowners within the river corridor. However, nearly 75% of the river segment is in private ownership.

Private Lands: The majority of land ownership along this river consists of private non-industrial and other private land holdings (74.1% combined). On these lands, uses and private management practices may not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

U.S. Forest Service: A 47-mile segment of the upper Clackamas River from Big Springs to Big Cliff was designated as part of the National Wild and Scenic River system in 1988. It is administered primarily with the Mount Hood National Forest, with the BLM acting as a co-administrator on portion of the segment towards its downstream end. Twenty miles are designated as "scenic" and 27 miles are "recreational." The outstandingly remarkable values (ORV) include: 1) recreation such as white water rafting, 2) anadromous fish habitat supporting wild late winter coho, spring Chinook, and winter steelhead; 3) wildlife habitat for the Federally-threatened Northern Spotted Owl and potential habitat for the threatened Peregrine Falcon; 4) botany, including the forests of old-growth Douglas-fir along its banks; and 5) areas of historic importance.

Designation would be consistent with management practices by Forest Service upstream since they are currently protecting the same ORVs (Recreation, Fish, Wildlife) as BLM has identified for its segment of river. Both agencies manage resources under the Northwest Forest Plan with other similar laws, regulations, and acts to comply with.

State of Oregon: The State of Oregon manages 13.2% of the eligible river segment, including Milo McIver State Park. Management of the park would generally be consistent with WSR management objectives including enhancement of recreation values and protection of the river's free flowing condition.

The Oregon State Parks and Recreation Department (OPRD) has a mission to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations. The State's primary goals are to: 1) Protect the free flowing character of

designated rivers for fish, wildlife and recreation, 2) Protect and enhance scenic, aesthetic and natural values, recreation, scientific research, and fish and wildlife qualities, and 3) Protect private property rights. OPRD also manages the Oregon Scenic Waterways program (1970) which closely parallels the Federal WSR program.

OPRD manages 502 acres of land within the Clackamas River corridor. The State has expressed a willingness to participate in the planning process of the Federal WSR program. Federal designation could result in dual designation by the State as a State Scenic Waterway. Joint efforts would ensure consistent WSR management decisions and program development (Contact: Jim Morgan, Stewardship Manager, ORPD, Salem Oregon. Aug. 2013. Phone: 503 986-0738).

WSR designation would be consistent with the State Scenic Waterway Designation.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Local government has 22.6 acres (0.5%) of land, which may or may not be consistent with designation. Designation of the lower Clackamas River may be inconsistent with regional flood control and power generation goals, primarily the Clackamas River Hydroelectric Project. The project, operated by Portland General Electric, secured a new license from FERC in 2010. It contains four separate facilities including het Oak Grove, North Fork, Faraday and River Mill facilities. These projects were constructed beginning in 2902 and provide 173 MW of electricity for the region.

Northwest Power and Conservation Council. The Council has designated this entire segment of the Clackamas River as a "protected area" for anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

The Bonneville Power Administration (BPA) administers 30.44 acres (0.7%) of the Clackamas River segment. BPA is a Federal agency within the U.S. Department of Energy that owns and operates more than 15,000 miles of high-voltage transmission lines. The transmission lines move most of the Northwest's high-voltage power from facilities that generate the power to users throughout the region. BPA has a statutory obligation to ensure that its transmission system has sufficient capability to serve its customers while maintaining a system that is safe and reliable. The Federal Columbia River Transmission System Act directs BPA to construct improvements, additions, and replacements to its transmission system that are necessary to maintain electrical stability and reliability, as well as to provide service to BPA's customers (16 United States Code [U.S.C.] § 838b[b-d]).

BPA currently has a transmission line corridor containing five lines that crosses a portion of the Clackamas River proposed by BLM for Wild and Scenic designation. BPA's Ostrander Substation also sits approximately 0.6 mile to the southwest of the Clackamas River, and may be affected by the designation. BPA owns the substation property in fee. The five lines that cross the river are all easements.

The actual crossings are easements with the Oregon State Land Board. The properties on each side of the crossing are easements with private landowners. The transmission line right-of-way (ROW) that crosses the Clackamas River varies in width but is generally about 900 feet wide where it crosses the river.

BPA's plans for the Ostrander substation and transmission lines within the ROW are currently limited to the continued operation and maintenance of the existing facilities. There is space for another line on the northwest side of the corridor if needed; however, there are currently no plans to use it. Nevertheless, BPA needs to retain the possibility of adding another line in the existing corridor because as the region develops, locating new rights of way becomes increasingly difficult, contentious, and expensive.

Maintenance of the existing facilities would include access road use and repair, vegetation management (removal of trees and brush that might grow within the flashover distance of the lines, danger tree removal, etc.), tower and line work, and other projects to ensure the continued safe operation of the transmission lines. In the future, one or more of the lines may need to be rebuilt, rerouted or reconstructed to maintain system reliability. In these cases, changes to the tower and conductor type may be required, which would change the physical and visual characteristics of the transmission line facilities and possibly the ROW. If a new line were needed in the future or if an existing line needs to be rebuilt or rerouted, it may need to be placed either within the existing ROW or in an entirely new area across the river. Construction, operation, and maintenance activities may affect vegetation, water resources (wetlands), fish and wildlife, cultural resources, recreationists etc. within and outside the existing ROW. Some of these impacts may be temporary or permanent based on the activity.

BPA needs to ensure that the operation and maintenance activities and the reliability projects anticipated are not affected by the designation of the Clackamas River as Wild and Scenic. BPA also needs to ensure that the ability to expand the Ostrander substation is retained. Based on similar situations (BPA lines crossing Wild and Scenic rivers), it is not anticipated that there would be significant impacts to BPA operations as a result of the designation with the exception of additional permitting and consultation requirements during the planning phase. BPA requests BLM's assurance that this is a correct assumption and that it will be able to participate in further evaluation of the river for Wild and Scenic designation.

Criteria 12: The contribution to river system or basin integrity.

There are multiple Wild and Scenic River segments within the Clackamas watershed. These include portions of the mainstem Clackamas River, South Fork Clackamas River, South Fork Roaring River, Collowash River and Eagle Creek. All of these segments are upstream of hydroelectric development and are managed either entirely or in part by the USFS, Mount Hood National Forest. Land within the river corridors of these segments is made up nearly entirely of Federal land.

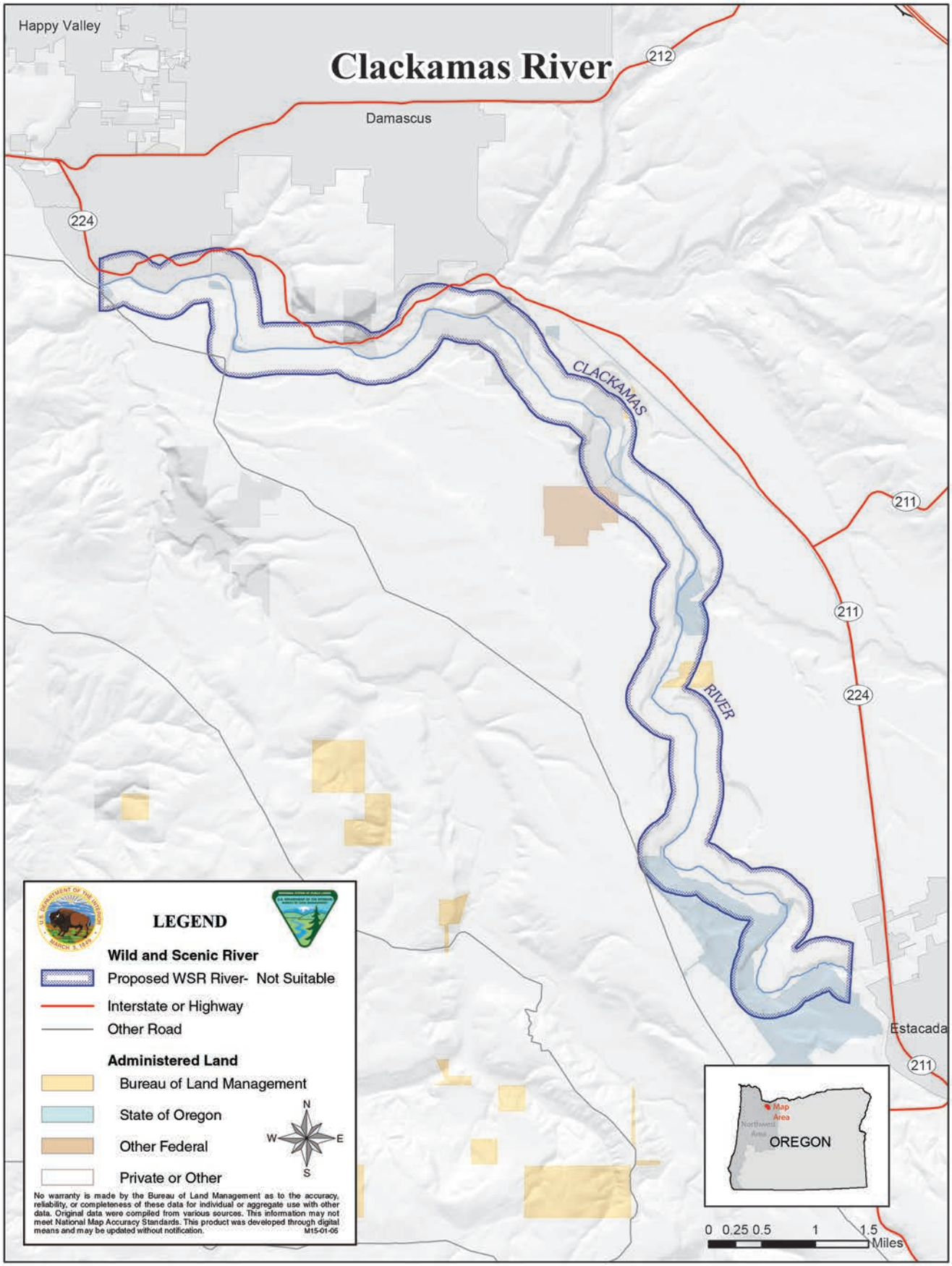
Designation of the lower Clackamas River would provide the only Federal WSR protection downstream of the Clackamas River Hydroelectric Project, operated by Portland General Electric.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Clackamas River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Clackamas River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers free flowing condition, water quality, and outstandingly remarkable recreation values.


Clackamas River
Happy Valley
Damascus
212
224
CLACKAMAS
RIVER
211
211
224
Estacada
211
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
State of Oregon
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Map Area
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0 0.25 0.5 1 1.5
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Drift Creek Wild and Scenic River Suitability Determination

Table 31. Drift Creek Wild and Scenic River suitability

Segment Name:	Drift Creek
Segment Description:	Headwaters to confluence with Alsea River. (USFS: Headwaters to USFS boundary – Segment A; USFS boundary to confluence with Alsea River – Segment B)
Total Segment Length:	30.09 miles
Length on BLM Land:	0.36
Total Segment Area:	8,540.76 acres
Area on BLM Land:	149.49 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fisheries
Description of ORVs:	The eligibility determination for these segments of Drift Creek was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the fisheries ORV for Drift Creek segments A and B.

Drift Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Drift Creek originates in the central Oregon Coast Range before flowing in the Alsea River near Waldport.

Outstandingly Remarkable Values

Fisheries: The status of Oregon Coast coho salmon is “Threatened” under the Endangered Species Act, in addition Oregon Coast steelhead are a Bureau Sensitive Species. Both species spawn, rear, and migrate through these segments of Drift Creek. Drift Creek has been designated Critical Habitat for OC coho salmon. Spring and Fall runs of Chinook salmon are present in Drift Creek as well as chum salmon, cutthroat trout, and Pacific Lamprey. The presence of listed species, bureau sensitive species, and the diversity of salmonid species in Drift Creek indicate fisheries remains an outstandingly remarkable value.

Other River Values and Characteristics

Recreation: No individual recreational activity (including sport fishing) or combination of activities is considered so unique or of such exceptional quality that visitors would be expected to travel from outside the region to participate. The Drift Creek Wilderness provides excellent opportunities for wilderness hiking, but is not unique within the region. The recreational values are therefore judged less than outstandingly remarkable.

Wildlife: No regionally or nationally important populations of indigenous wildlife species are known to inhabit the river corridor, and overall wildlife habitat within the corridor is not of exceptionally high quality. In addition, no threatened or endangered wildlife species are known to inhabit the corridor. The wildlife resources are judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Botany: No rare botany species occur within this river corridor. Therefore, the botany values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Scenic: The scenic quality of Drift Creek has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value is judged less than outstandingly remarkable.

Setting: Drift Creek Access and Development: Along the 30-mile Drift Creek, several bridges or creek crossings traverse the riverbed (On Google Earth, some may be concealed by a canopy of trees along the creek). The western end of the creek has limited access to a farm about five miles in. Beyond that, the Drift Creek Wilderness is a 5,798-acre reserve in the Siuslaw National Forest. Terrain is characterized by long steep slopes with broken and uneven terrain. The river corridor through the Wilderness is roadless, with only 8.5 miles of maintained USFS trails for access. This area is classified as Primitive. There is opportunity for isolation from fabricated sights, sounds, and management controls in an unmodified natural environment. A high degree of challenge and risk are present. Visitors use outdoor skills and have minimal contact with other users or groups. Motorized use is prohibited. There are no communities along the river study area or within its vicinity. At the headwaters of Drift Creek on the eastern end, the main landscape character is of active forest management. This area is Roaded Natural. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. Timber harvests dot the landscape. The landscape is covered with a network of gravel roadways throughout adjacent hillsides. Approximately 12 miles of forest roads following the creek are often up to 0.1 to 0.2 miles away. No recreation developments are noted. The creek segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Table 32. Land Ownership within the Drift Creek corridor.

Ownership	Acres	Percentage
BLM	149	1.8%
Private	1,032	12.1%
Private Industry	3,171	37.1%
USFS	4,129	49%

The Oregon State Water Resources Department records 7 water rights and 8 points of diversion on the 30-mile Drift Creek segment from its headwaters to confluence with Alsea River. The active run date is June 1. Table 33 below shows water types and uses. It is not advisable to count columns because one water

right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 331. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Domestic	1	1	0.01000	
	Domestic Including Lawn and Garden	1	1	0.01000	
	Irrigation	3	3	0.33800	
	Livestock	1	1	0.01000	
	Supporting Aquatic and Recreation	2	2	75.00000	
			Totals	**75.36800**	

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration. The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced. Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. However, BLM's current road system does not intrude on the river corridor.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow, or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the entirety of Drift Creek were added to the National Wild and Scenic Rivers System, the US Forest Service and BLM's Salem District would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

The Siuslaw National Forest has also determined a 14-mile segment of Drift Creek to be eligible for possible inclusion into the National WSR system (see Criteria 10). If the river were designated, future planning and management of the river would likely be undertaken in conjunction with US Forest Service.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The entirety of this segment lies within Lincoln County.

Lincoln County has zoned lands along Drift Creek as:

- Timber Conservation (85%)
- Agricultural Conservation (15%).%)

All of the Agricultural Conservation zoned lands lie on the western end of the Alsea River (first six miles) near its confluence to the Alsea River.

Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Agricultural Conservation lands goals are to preserve and maintain agricultural lands and to conserve and improve the existing commercial agricultural enterprise within the area. Lincoln County preserves and maintains agricultural land for farm use consistent with existing and future needs for agricultural products, forest, and open space. Where rural residences can be accommodated on land within agricultural areas not suited for agriculture or commercial timber production, such residences are allowed if they pose no threat of conflict with prevailing farm and forest practices.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. OWRD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridors and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails

and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Drift Creek were supportive of designation. Four comments were submitted in reference to Drift Creek, two of them directly recommending WSR designation and the other highlighting the rivers values (fishing opportunities, wilderness).

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut, and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

United States Forest Service. The US Forest Service is the primary public land owner within the river corridor. The Siuslaw National Forest determined a 14-mile segment of Drift Creek to be eligible in its Draft Forest Plan, 1990. The river flows beyond USFS boundaries and includes private and BLM lands. A suitability study was not completed, nor does the USFS plan one. However, a study may be considered as part of a Forest Plan Revision later. Several miles east of Waldport, the Drift Creek River flows through about six miles of the Drift Creek Wilderness Area. This 5,798-acre designation on the Siuslaw National Forest was created in 1984 and is managed and protected for similar resource values as the BLM Fisheries Outstandingly Remarkable Value. This entire river segment, comprised primarily of USFS and private timber lands, is included in BLMs 30-mile eligible segment. The Forest has indicated that a BLM determination of suitability on this river would not conflict with its plans, programs or policies.

Both the Forest Service and Bureau of Land Management follow management prescriptions of the Northwest Forest Plan. Management actions are therefore consistent. Management actions with private timber companies would not be consistent.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology;
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional

pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated both segments of Drift Creek as a “protected areas” for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development; however, under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

This factor reflects the benefits of a “systems” approach (e.g., expanding the designated portion of a river in the National System or developing a legislative proposal for an entire river system—headwaters to mouth—or watershed). Numerous benefits may result from managing an entire river or watershed, including the ability to design a holistic protection strategy in partnership with other agencies and the public.

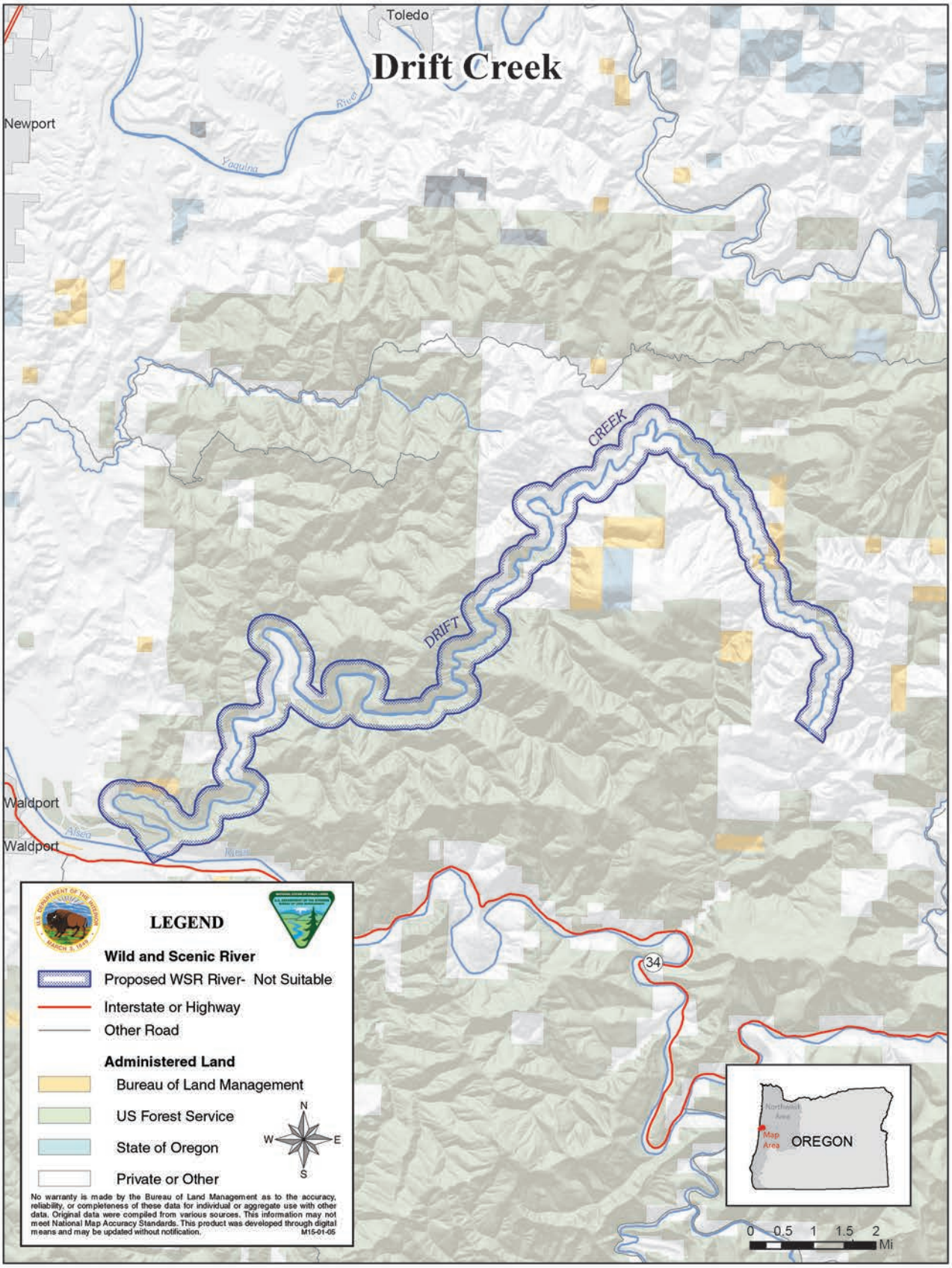
There is no designated Wild and Scenic Rivers within the Drift Creek watershed nor have there been any legislative proposals for WSR protection of Drift Creek or its tributaries. However, a portion of the segment is included within the boundaries of the Drift Creek Wilderness Area.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Drift Creek Suitability Determination

Based on the information contained in this study, the BLM Salem District finds Drift Creek to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM’s ability to manage it effectively as a WSR. The makeup of this segment hinders the BLM’s ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor as evidenced by county zoning. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river’s free flowing condition, water quality and outstandingly remarkable recreation values.


Drift Creek
Toledo
Newport
Yaquina
River
DRIFT
CREEK
Waldport
Alsea
River
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LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
Private or Other
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Fall Creek Wild and Scenic River Suitability Determination

Table 34. Fall Creek Wild and Scenic River suitability

Segment Name:	**Fall Creek**
Segment Description:	Headwaters to confluence with Alsea River
Total Segment Length:	11.69 miles
Length on BLM Land:	2.39 miles
Total Segment Area:	3,586.10 acres
Area on BLM Land:	670.27 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fisheries
Description of ORVs:	The eligibility determination for this segment of Fall Creek was made during the BLMs 1990 Land use planning study. In the 1990 eligibility assessment, the fisheries biologist rated the fisheries as an Outstandingly Remarkable Value (ORV).

Fall Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Fisheries: The status of Oregon Coast coho Salmon is "Threatened" under the Endangered Species Act, in addition Oregon Coast steelhead are a Bureau Sensitive Species. Both species spawn, rear, and migrate in this segment of Fall Creek. Fall Creek has been designated Critical Habitat for OC coho salmon. Primarily, fall runs of Chinook are present though this segment of Fall Creek as well as cutthroat trout and Pacific Lamprey.

Other Resource Values and Characteristics

Wildlife: No nationally or regionally important populations of indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit the river corridor. The overall wildlife habitat within the corridor is also of less than exceptional quality. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Ecology/Botany: No rare botany species occur within this river corridor. The river segment starts just north and below the Grass Mountain Research Natural Area, and does not include it. Therefore, the ecological and botanical values in this river corridor are less than outstandingly remarkable. Data for this

analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC)

Scenic: The scenic quality of the Fall Creek corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this stream segment is therefore judged less than outstandingly remarkable.

Recreation: No individual recreational activity (including sport fishing and whitewater rafting/kayaking) or combination of activities is so unique or of such exceptional quality that visitors would be expected to travel from outside of the region to participate. The recreational value of this river segment is therefore judged less than outstandingly remarkable.

Setting, Access, and Development: Along the 13.6-mile Fall Creek, several creek crossings or bridges traverse the river. (Forest canopy obscures aerial views for a precise count.) Public access to the creek is available from adjacent forest roads. Forest roads may be restricted on private lands. There are no communities along the river corridor. The primary features and uses of the landscape are manifest in forest management practices. The setting is Roaded Natural. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. A network of gravel roadways meander the hillsides between timber harvest areas. The first mile of Fall Creek from Highway 34 is a more developed rural setting with several private residences and cleared farmlands for crops and livestock. This area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. No significant agricultural, residential, recreation or business developments are noted in the area. The creek flows through three sections of lands administered by the Siuslaw National Forest at its headwaters. The creek is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 13.6-mile segment is a combination of Federal, private, State lands (Table 35). Four BLM parcels cross the riverbed (three completely) on the NE end of the creek. There are no other parcels. BLM manages 670.27 acres (18.7 percent) within the river study corridor. The BLM manages 2.39 miles (17.6 percent) of shoreline.

Table 35. Land Ownership within the Fall Creek corridor

Ownership	Acres	Percentage
BLM	670	18.7%
Private	848	23.6%
Private Industry	1,782	49.7%
State of Oregon	1	0.02%
USFS	280	7.8%

The Oregon State Water Resources Department records 11 water rights and 14 points of diversion on the 13.6 mile Fall Creek from its headwaters to the confluence of the Alsea River Run date is June 1. Table

36 shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 36. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	Pods	Rate Sum (CFS)	Area Sum (Acre Ft.)
Storage	Fish Culture	1	1	0.00000	1.00000
	Livestock	1	1		0.33000
	Storage	1	1		2.58000
Surface Water	Anadromous and Resident Fish Rearing	1	1	41.70000	
	Fish Culture	2	2	20.01000	
	Irrigation	4	6	0.65000	
	Supporting Aquatic Life and Recreation	2	2	65.00000	
			Totals	**127.36000**	**3.91000**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife populations by helping to preserve existing habitat. Bald Eagle and spotted owl habitat and nesting areas would continue to be protected under the Endangered Species Act and further enhanced by the National System. Designation would complement the goals and objectives of the local water conservation district.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.) All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system is in close proximity river channel in several locations in T13S R8W. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Fall Creek segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with Wild and Scenic River management could include water quality sampling, targeted monitoring activities and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The entire river segment is contained within Lincoln County. Lincoln County has zoned lands along Fall Creek as:

- Timber Conservation (98%)
- Agricultural Conservation (2%)
- Residential (<1%)

The Residential and Agricultural Conservation zones lie on the southern end at the confluence with the Alsea River.

Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Agricultural Conservation lands goals are to preserve and maintain agricultural lands and to conserve and improve the existing commercial agricultural enterprise within the area. Lincoln County preserves and maintains agricultural land for farm use consistent with existing and future needs for agricultural products, forest and open space. Where rural residences can be accommodated on land within agricultural areas not suited for agriculture or commercial timber production, such residences are allowed if they pose no threat of conflict with prevailing farm and forest practices.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Fall Creek were generally supportive of WSR designation. Three comments were received specific to this river segment.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions

concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Fall Creek runs along several miles of the U.S. Forest Service boundary, as well as through private and BLM lands. The Siuslaw National Forest did not conduct a study to determine eligibility of Fall Creek for potential Wild and Scenic River designation in its Forest Plan of 1990. The BLM determined an 11.7-mile segment to be eligible, including over three miles of creek that borders USFS lands. The BLM section is both upstream and downstream of USFS lands. With BLMs finding of eligibility, the FS indicates that they may study the river for eligibility later. The Forest Service feels that the potential future designation should not deter from its plans, programs, and policies in meeting regional objectives, as they would be involved in the planning process. Management direction is similar since both agencies follow direction from the Northwest Forest Plan.

Besides BLM and USFS lands, the State has just over one acre of land in the river corridor. The majority of land ownership along this river consists primarily of private industry and other private land holdings (73.3%). On these lands, uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.
Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated Fall Creek as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

This factor reflects the benefits of a "systems" approach (e.g., expanding the designated portion of a river in the National System or developing a legislative proposal for an entire river system—headwaters to mouth—or watershed). Numerous benefits may result from managing an entire river or watershed, including the ability to design a holistic protection strategy in partnership with other agencies and the public.

There are no designated Wild and Scenic Rivers within the Fall Creek watershed nor have there been any legislative proposals for additional Federal protection of the Fall Creek or its tributaries.

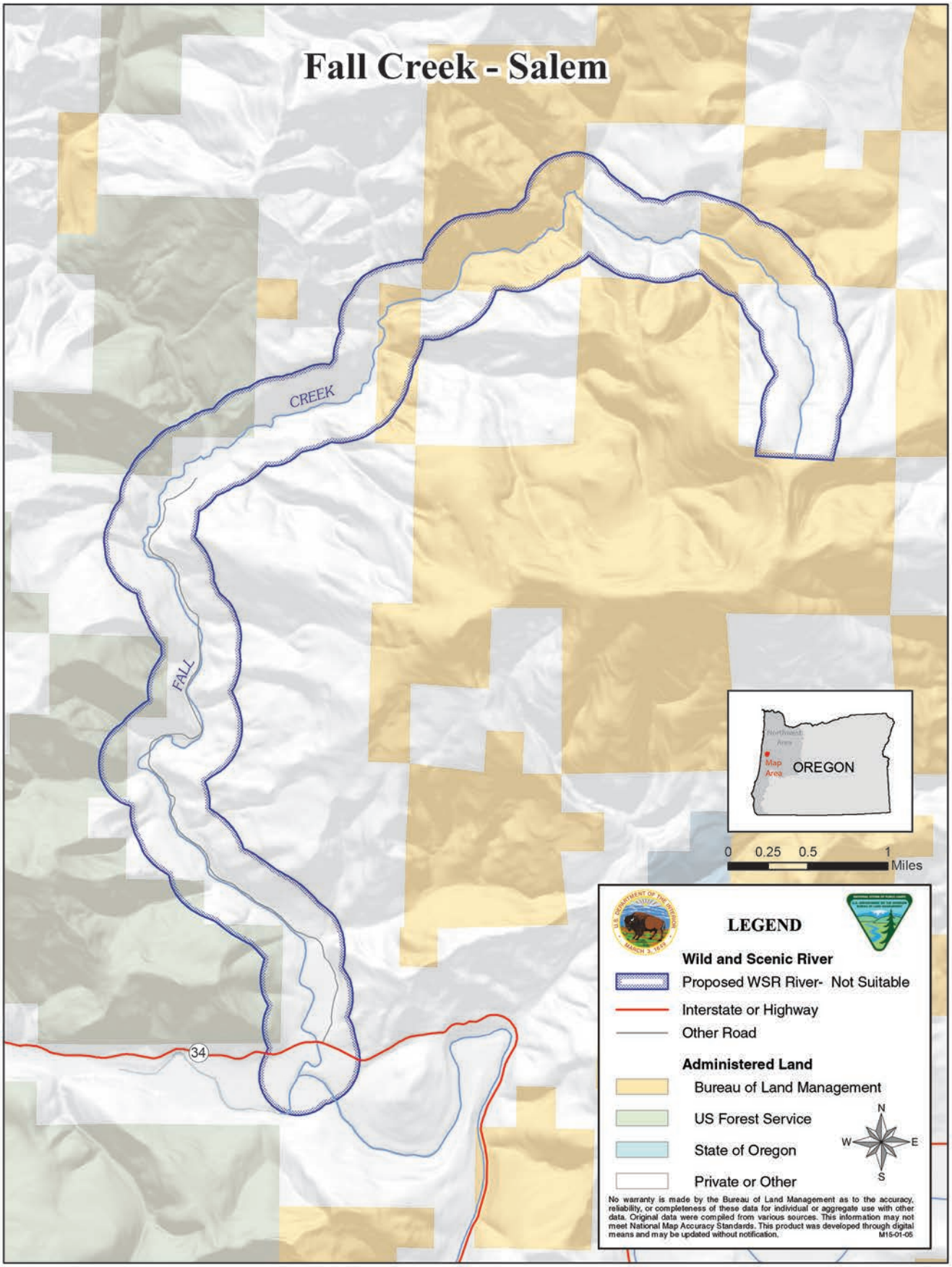
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Fall Creek Suitability Determination

During this suitability analysis, it was determined that the fisheries resources on Fall Creek no longer meet the threshold for an outstandingly remarkable value. Though listed and Bureau Sensitive species are present within Fall Creek, the lack of unique characteristics and the lower diversity of salmonid species in Fall Creek, when compared to surrounding river systems, leads the BLM to conclude that this segment does not contain any rare, unique, or exemplary features that support a designation.

Since fish are no longer an Outstandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


Fall Creek - Salem
CREEK
FALL
34
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Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
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M15-01-05

Kilchis River Wild and Scenic River Suitability Determination

Table 37. Kilchis River Wild and Scenic River suitability

Segment Name:	**Kilchis River**
Segment Description:	Confluence of North Fork Kilchis River and South Fork Kilchis River to Tillamook Bay
Total Segment Length:	15.70 miles
Length on BLM Land:	0 miles
Total Segment Area:	4,389.78 acres
Area on BLM Land:	66.13 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for the Kilchis River segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Recreational, and Fish Outstanding Remarkable Values (ORV).

Kilchis River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Kilchis River is 14 miles long in the North Oregon Coast Range that drains approximately 65 square miles east of Tillamook. From the confluence of the North Fork and South Fork in the Tillamook State Forest the river flows southwest before entering.

Outstandingly Remarkable Values

Recreation: This river is one of the top sport fishing rivers in the North Coast region and regularly attracts visitors from outside of the region, particularly the Portland Metropolitan area. Catch rates for chum salmon, Coho salmon, fall Chinook salmon, and winter steelhead are all very high. Because much of the land along the lower stretches is private, fishing is often done by drift boat launched from boat ramps at Kilchis County Park, County Park, and Mapes Creek. Anglers may also fish from stream banks on public land in the Tillamook State Forest. The overall recreational value of this river segment is therefore judged outstandingly remarkable.

Fish: The status of Oregon Coast coho Salmon is “Threatened” under the Endangered Species Act, in addition, steelhead is a Bureau Sensitive Species, and both species spawn and rear in this segment of the Kilchis. Chinook salmon and cutthroat trout are present. Data on the status of chum salmon on the Kilchis identified a spawning population greater than 300 adults with limited hatchery influence. This additional species is a diverse element not represented in many of the other streams in the region being considered

for eligibility. Due to the additional diversity of anadromous species and good water quality, this segment of the Kilchis is judged to be of outstandingly remarkable value for fish resources.

Wildlife: For elk, habitat quality is low due primarily to the presence of roads parallel to, and on both sides of the river. Riparian habitat is fair and deer production is good within the corridor. No regionally or nationally important population of wildlife species and no threatened or endangered wildlife species are known to inhabit the river corridor. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Other River Values and Characteristics

Botanical: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC). .

Scenic: The scenic quality of this segment of the Kilchis River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Setting, River Access and Development along the 15.7-mile Kilchis River, seven bridges and one railroad by Highway 101 cross the river. Bridges span the entire river. Power lines also span the river at this location. Access to the river occurs where State lands access the river, primarily on the northern section of river. The Northern half of the river corridor is under state ownership and is managed for forest timber production. Roads provide public access, which parallels the stream. There is evidence of active timber harvest operations. There are fewer forest roads through the mountainsides compared to other local private land forests. The southern half of the river corridor is predominantly private with light developments in a rural setting. The area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are evident, and the concentration of users is often moderate. There are a few dozen home sites with cleared agricultural lands along this section of the river. Access is on the paved Kilchis River County road. Bay City is the nearest community near the coast. The Oregon Coast Highway (101) crosses the river. The entire river segment is free flowing.

Criteria 2: The status of land ownership and use in the area

Table 38. Land ownership within the Kilchis River corridor.

Ownership	Acres	Percentage
Unknown	3.03	0.07%
BLM	66.13	1.5%
Private	1,633.58	37.2%
Private Industry	0.33	0.001%
State	2,686.72	61.2%

The Oregon State Water Resources Department records 19 water rights and 22 points of diversion (Table 39) on the 15.7 Kilchis River segment from the forks of Kilchis River to Tillamook Bay. Run date is June 1. The table below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 39. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Quasi-Municipal Uses	1	1	0.47	
Surface Water	Anadromous and Resident Fish Rearing	2	2	212.4	
	Domestic	3	3	0.16	
	Domestic including Lawn and Garden	1	1	0.05	
	Fire Protection	1	1		
	Human Consumption	1	1	0.01	
	Industrial/Manufacturing Uses	1	1		
	Irrigation	9	9	2.37	9.19
	Municipal Uses	1	1	20.0	
	Supporting Aquatic Life	2	2	100.0	
			Totals	**335.46**	**9.19**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Kilchis River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Due to the high percentage of land within the river corridor managed by the Oregon Department of Forestry, it is expected that the BLM would propose sharing off costs with the State of Oregon.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

The Oregon Department of Forestry is the primary land manager within the river corridor. Should the river be designated, the BLM would likely approach ODF and the Oregon State Marine Board for assistance in all planning and management to further protection of river.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The entire river segment lies within Tillamook County. Tillamook County has designated the segment of the Kilchis River as:

Forest Zone (F) 56%- This zoning occurs primarily on the eastern end of the river. Tillamook County adopted Forest Zone (F). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

Farm Zone (F-1) 25%- This zoning lies primarily on the western end of the river. Tillamook County adopted Farm (F-1). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

Recreation Management (RM) 9%- The purpose of the RM zone is to designate areas for public and private parks and day-use facilities, including such areas that contain significant natural or scenic values. The RM zone is intended to accommodate the type of recreational developments that preserve an area's natural values; it is not intended for intensive recreational developments that do not retain substantial open space on the property. (http://www.co.tillamook.or.us/gov/comdev/planning/luo.htm)

Rural Residential (RR) 5%- Several small parcels are located along the western and center of the river corridor. The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having home sites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

Small Farm and Woodlot (SWF-20) 2% Two small parcels are located along the western and center of the river corridor. Tillamook County adopted SWF-20. Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

Recreation Natural (RN) 2% The purpose of the RN zone is to designate and preserve areas that contain significant natural and/or scenic values. It is intended to accommodate only the type of developments that will preserve and maintain such values. Parcels in the RN zone should be large enough to allow all permitted activities to occur primarily in areas well removed from areas with significant natural or scenic values. (http://www.co.tillamook.or.us/gov/comdev/planning/luo.htm)

Small Farm and Woodlot (SWF-10) 1% Two small parcels are spread along the western and center of the river. The purpose of the SFW-10 zone is to permit small-scale farms and large acreage rural residential home sites on land that has potential for small-scale farm or forest uses, but because of limitations, it is impractical for the Farm or Forest zone. It also provides a buffer between non-resource uses and lands that are managed for farm or forest uses, thereby assuring that the conversion of such lands to higher density uses occurs in an orderly and economical manner.
(http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

Estuary Zone: 1% Occurs on the western end of the river at Tillamook Bay.

General priorities include:

a) Uses which maintain the integrity of the estuarine ecosystem.
b) Water-dependent uses requiring an estuarine location, as consistent with the overall
c) Oregon Estuarine Classification.
d) Water-related uses, which do not degrade or reduce the natural estuarine resources and values.
e) Non-dependent, non-related uses, which do not alter, reduce or degrade the estuarine resources and values.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an

exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Kilchis River were generally supportive of WSR designation. Six comments were received in total specific to this river segment. These comments highlight the river's fisheries and recreational values.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut, and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Designation may help or impede the goals of tribal governments or other Federal, State, or local agencies. For example, designation of a river may contribute to state or regional protection objectives for fish and wildlife resources. Similarly, adding a river that includes a scarce recreation activity or setting to the National System may help meet statewide recreation goals. Designation might, however, limit irrigation and/or flood control measures in a manner inconsistent with regional socioeconomic goals.

The Oregon Department of Forestry (ODF) manages 2,687 acres (61.2%) within the Kilchis River corridor in the Tillamook State Forest. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013).

Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

Other land ownership in the river corridor consists of private industry and other private land holdings (37.2% combined). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent landowners and communities have formed watershed councils. The general mission of each is similar by fostering and

supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated the entire segment of the Kilchis River as a “protected area” for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

This factor reflects the benefits of a “systems” approach (e.g., expanding the designated portion of a river in the National System or developing a legislative proposal for an entire river system—headwaters to mouth—or watershed). Numerous benefits may result from managing an entire river or watershed, including the ability to design a holistic protection strategy in partnership with other agencies and the public.

There is no designated Wild and Scenic Rivers within the Kilchis River watershed nor have there been any legislative proposals for additional Federal protection of the Kilchis River or its tributaries.

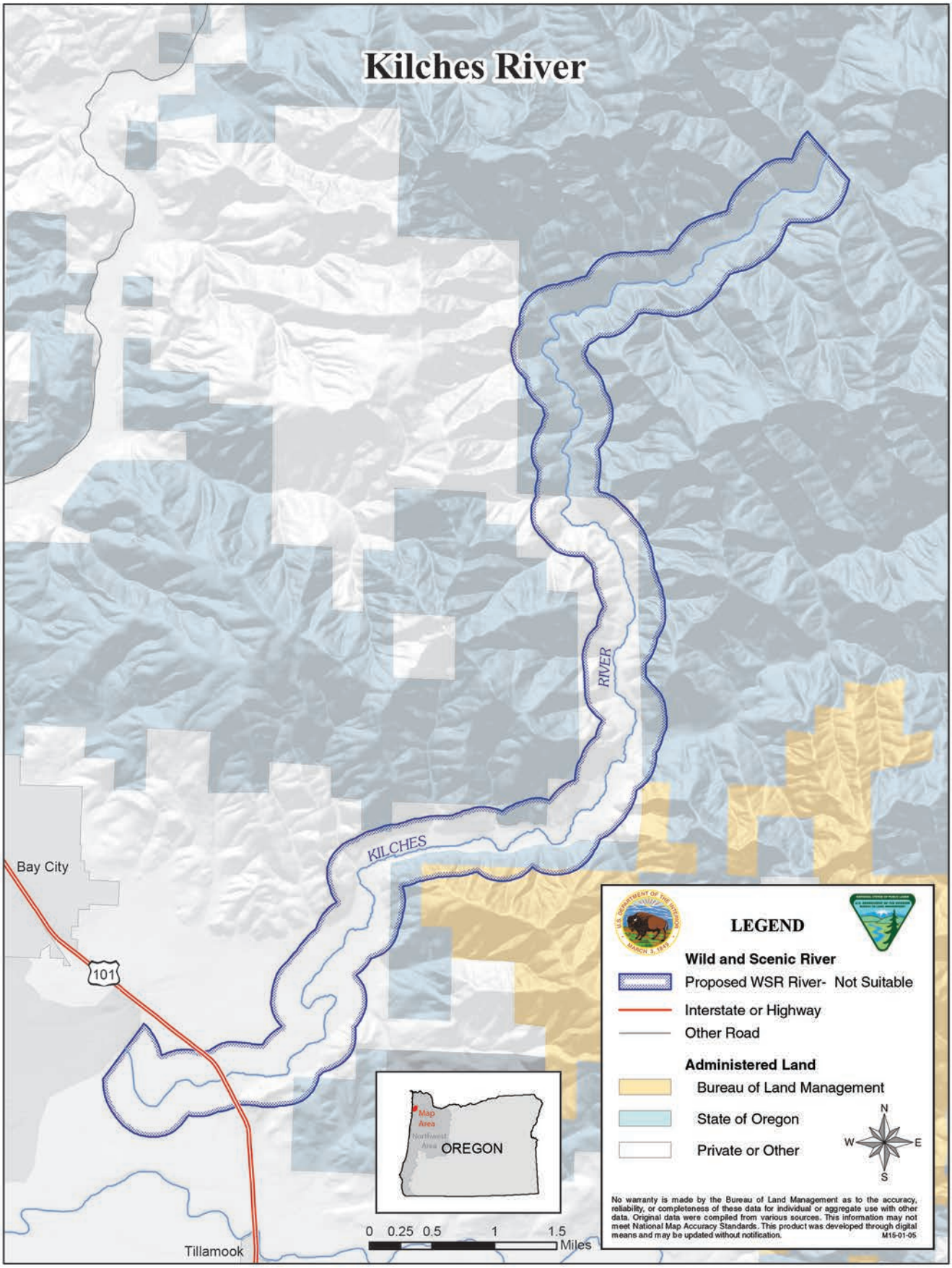
Criteria 13: The potential for water resources development.

Identify any proposed water resource projects that may be foregone, as designation may limit development of water resources projects as diverse as irrigation and flood control measures, hydropower facilities, dredging, diversion, bridge construction, and channelization.

No plans for significant water development in the segment were identified during this study.

Kilchis River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Kilchis River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor as evidenced by county zoning. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river's free flowing condition, water quality and outstandingly remarkable recreation values.


Kilches River
KILCHES
RIVER
Bay City
101
Tillamook
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05

Little Luckiamute River Wild and Scenic River Suitability Determination

Table 41. Little Luckiamute River Wild and Scenic suitability

Segment Name:	**Little Luckiamute River**
Segment Description:	Headwaters to confluence with Luckiamute River
Total Segment Length:	27.05 miles
Length on BLM Land:	0.27 miles
Total Segment Area:	7,608.99 acres
Area on BLM Land:	40.19 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Ecology
Description of ORVs:	The eligibility determination for this segment of the Little Luckiamute River was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the ecological ORVs for the Little Luckiamute River.

Little Luckiamute River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Little Luckiamute River is a stream in Polk County in the U.S. state of Oregon. It rises in the Central Oregon Coast Range near Fanno Peak and joins the Luckiamute River about 4 miles upstream of the Sarah Helmick State Recreation Site southwest of Monmouth.

Outstandingly Remarkable Values

Ecology/Botany: *Sidalcea nelsoniana*, a listed Federal and state threatened species is close to and *Erythronium elegans*, a state threatened species occurs within the river corridor. Several other rare plant species occur within the corridor, but are not associated with the river or its riparian zone. They are associated with meadow and fen habitats. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Other River Values and Characteristics

Cultural: Three cultural sites are currently recorded within the river corridor. A National Register of Historic Places eligibility has not been completed on any of the sites at this time, however they do not appear to be rare, one-of-a-kind or unusual and so are not outstanding. The overall cultural value is therefore judged less than outstandingly remarkable.

Wildlife: Deer population and habitat within the river corridor is no more significant than many other areas in the region. Population densities within the river corridor are near the average for the region, and the habitat, although very good, was nearly the same as the surrounding area. No nationally or regionally important populations of indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit this river corridor. The wildlife resource of this river corridor is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Fisheries: The fisheries resource of this river segment is judged to be of less than outstandingly remarkable value. Production rates for fall Chinook salmon, coho salmon, and winter steelhead are poor to fair, and overall fisheries habitat is poor. This river is not a top producer of any fish species, and fisheries habitat is of lower quality than the average for the region. In addition, no threatened or endangered fish species are known to inhabit this river segment.

The status of Upper Willamette River (UWR) winter steelhead is "Threatened" under the Endangered Species Act (ESA) and present in the segment. In addition, UWR Spring Chinook salmon is "Threatened" under the ESA are suspected to occupy the lower most portion of the segment. Upper Willamette steelhead, as well as some UWR Chinook, rear and migrate within this segment of the Luckiamute River. The Luckiamute River has been designated Critical Habitat for UWR winter steelhead. Coho salmon are present in the Luckiamute River in this segment as well as cutthroat trout and Pacific lamprey. Habitat stronghold for the Luckiamute River is located in the upper most portion of the segment, while the lower 30 miles of river is heavily impaired and nearly devoid of salmonids during summer months. While listed species and multiple salmonid species are present in the Luckiamute River poor habitat conditions for much of the segment indicate fisheries would not be considered an outstandingly remarkable value.

Scenic: The scenic quality of the segment of the Little Luckiamute River has received "B" rating as defined in the Visual Resource Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Historical: The Valley & Siletz Railroad, which was incorporated in 1912 by the Cobbs & Mitchell Lumber Company, passed through the watershed along the Luckiamute River linking Kings Valley and Pedee with Independence. It connected to the Southern Pacific Railroad at Independence. The primary goal of its construction was to move timber, but it was also used to move agricultural products. The line was purchased in late 1984/early 1985 by the Willamette Valley Railroad Company. The Willamette Valley Railroad Company continued to operate carrying cargo for the Mountain Fir Lumber Company until the lumber facility closed in May of 1992. This railroad is no longer in use.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 27.05-mile segment is a combination of Federal (BLM), County, private, and State lands (Table 42). One 40-acre BLM parcel crosses the riverbed for ownership on both sides of the river, but does not span the full ½-mile wide corridor. BLM manages 40.19 acres (0.5 percent) within the river corridor. The BLM manages 0.27 miles (1 percent) of shoreline (Table 31).

Table 42. Land ownership within the Little Luckiamute River corridor.

Ownership	Acres	Percentage
BLM	40.19	0.5%
Local Government	32.28	0.4%
Private	3,962.00	52.0%
Private Industry	3,444.51	45.2%
State Dept. of Forestry	130.01	1.7%

The Oregon State Water Resources Department records 102 water rights and 136 points of diversion. along the 27-mile Little Luckiamute River from its headwaters to confluence with Luckiamute River. Table 43. shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 43. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Irrigation	1	1	0.6684	
Storage	Fish Culture	1	1		
	Livestock	1	1		2.50
	Recreation	1	1		2.50
	Storage	1	1		2.0
	Wildlife	2	2		14.0
Surface Water	Domestic	4	4	0.025	
	Domestic Including Lawn and Garden	1	1	0.010	
	Fish Culture	1	1	1.0	
	Industrial/Manufacturing Uses	2	2	1.0	
	Irrigation	84	104	39.8678	
	Irrigation and Domestic	1	1	0.150	
	Livestock	6	7	0.030	
	Primary and Supplemental Irrigation	1	2	0.330	
	Supporting Aquatic Life and Minimizing Pollution	1	1	50.0	
			Totals	**93.0812**	**21.0**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

<u>Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)</u>
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in criteria 9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow, or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Little Luckiamute River segment was added to the National Wild and Scenic Rivers System, the BLM, Salem District would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Polk County has designated the following zones for the Little Luckiamute River:

- Exclusive Farm Use (47%)
- Timber Conservation (47%)
- Urban (Falls City - 4%)
- Public & Private Educational Facilities (2%)
- Residential-5 acre (<1%)
- Farm Forest (<1%)

The eastern end of the river is primarily Exclusive Farm Land while the western end is Timber Conservation.

The purpose of Exclusive Farm Use Zoning District is to conserve agricultural lands, consistent with the Goals and Policies of the Polk County Comprehensive Plan. This objective is achieved by establishing clear standards for the use and development of designated agricultural lands.

The Timber Conservation (TC) Zoning District is intended to:

a) Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses;
b) Conserve and protect watersheds, soil, fish and wildlife habitats and other such uses associated with forests;
c) Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management;

d) Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and as such, are beneficial to the economy of the County and to the welfare of its people.

Further zoning definitions: http://www.co.polk.or.us/cd/planning/polk-county-zoning-ordinance

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing

recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extent onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to the Little Luckiamute segment during this multi-phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of

timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

No other Federal agency plans, programs or policies were identified for this segment. The majority of land ownership along this river consists of private industry and other private land holdings. On these lands, uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Question 1.
The Oregon Department of Forestry (ODF) manages 130 acres (1.7%) within the Little Luckiamute River corridor. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

The majority of land ownership along the river consists of private industry and other private land holdings (97.2%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

<u>Oregon Department of Fish and Wildlife.</u> Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology; Continue efforts to understand historical range of channel stability and function.

- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent landowners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated the Little Luckiamute River as a "protected areas" for anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development; however, under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must

take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

There is no designated Wild and Scenic Rivers within the Luckiamute River watershed nor have there been any legislative proposals for additional Federal protection of the Little Luckiamute River or its tributaries.

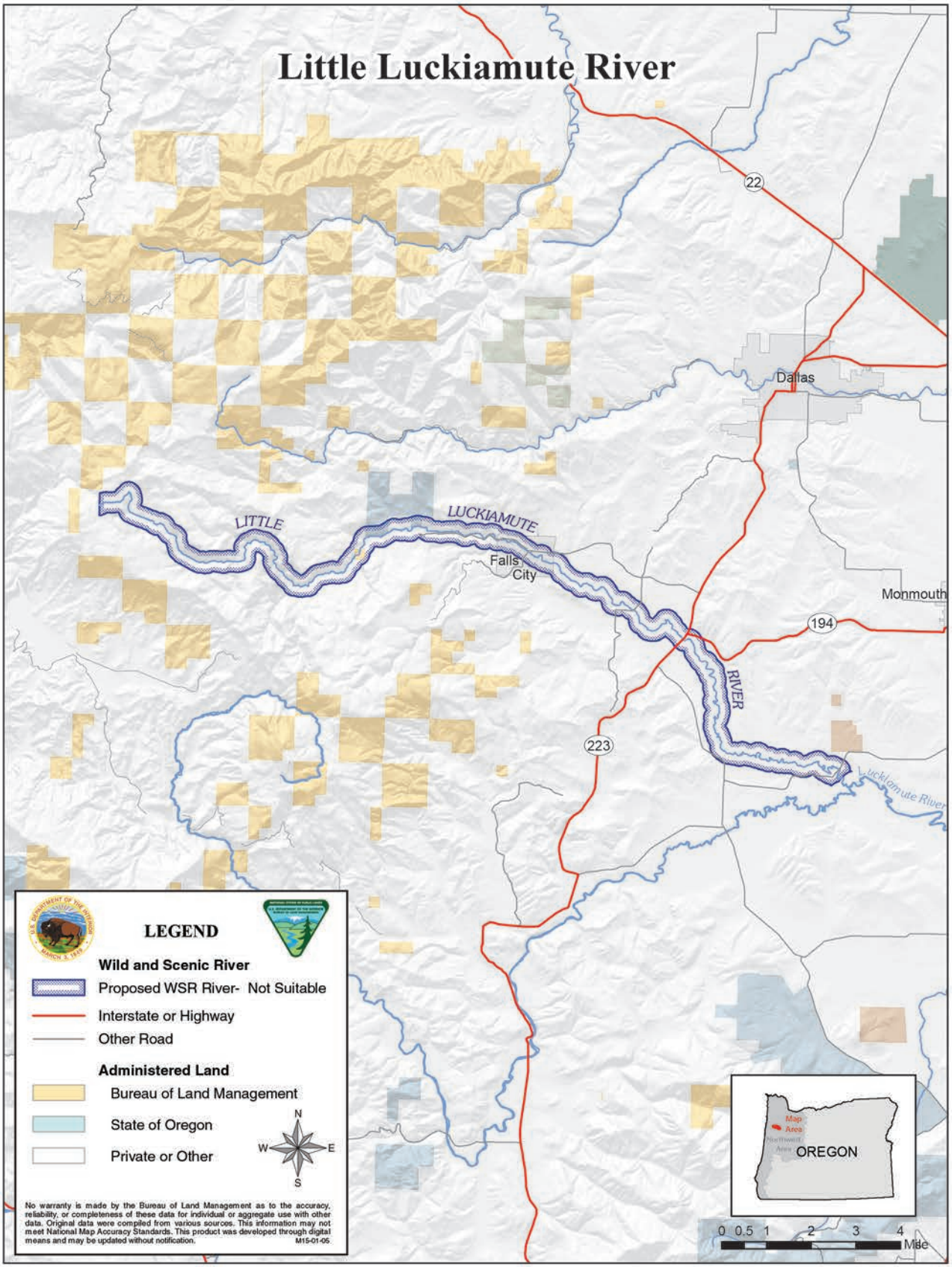
Criteria 13: The potential for water resources development. Identify any proposed water resource projects that may be foregone, as designation may limit development of water resources projects as diverse as irrigation and flood control measures, hydropower facilities, dredging, diversion, bridge construction, and channelization.

No plans for significant water development in the segment were identified during this study.

Little Luckiamute River Suitability Determination

During this suitability analysis, it was determined that the ecology/botany resources on the Little Luckiamute River segment no longer meet the threshold for an outstandingly remarkable value. Several rare plant species occur within the river corridor, but are not associated with the river or its riparian zone. This river segment is significant for botanical resources but not outstandingly remarkable because the rare botanical species and the habitats are not associated with the river.

Since ecology/botany are no longer Oustandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


Little Luckiamute River
22
Dallas
LITTLE
LUCKIAMUTE
Falls City
Monmouth
194
RIVER
223
Luckiamute River
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
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Little North Santiam River Wild and Scenic River Suitability Determination

Table 44. Little North Santiam River Wild and Scenic suitability.

Segment Name:	**Little North Santiam River**
Segment Description:	Willamette National Forest boundary to confluence with North Santiam River
Total Segment Length:	17.18 miles
Length on BLM Land:	3.5 miles
Total Segment Area:	4,748.31 acres
Area on BLM Land:	1,205.27 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Scenic, Fish and Wildlife, Recreation
Description of ORVs:	The eligibility determination for the Little North Santiam River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Scenic, Recreational, Fish, and Wildlife ORV's.

Little North Santiam River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Little North Santiam River is a major tributary of the North Santiam River located entirely within Marion County, Oregon approximately 30 miles east of the Salem metropolitan area. The river is within the Willamette River Basin. The Little North Santiam River drains approximately 113 square miles of the western slope of the Cascade Mountains.

Outstandingly Remarkable Values

Scenic: The scenic quality of this segment of the Little North Santiam River corridor has received an "A" rating. The river is characterized by a combination of deep, clear pools and riffles that provide pleasing visual contrast. Numerous rock outcrops are present along the river and add to visual diversity. In many locations, mature and diverse streamside vegetation adds to the scenic quality of the corridor. In some locations, homes and other developments are visible from the river. However, these developments do not diminish the overall visual quality of the river corridor. The scenic value of this river corridor is therefore judged to be outstandingly remarkable.

Recreation: Public access to the river corridor is provided by parallel roads that follow the river, primarily the North Fork Road (County). Access to the river is legal where Federal, State or County lands border

the riverbed. Legal access to a majority of the riverbed is limited by private ownership. The rural setting on the western end gives way to a Roaded Natural setting as visitors travel upriver.

The river travels through a predominately-natural forested environment, with moderate evidence of human modification associated with timber harvest, road construction activities, and residential and commercial development. There are numerous developed recreation facilities operated by the BLM, Marion County and private entities including Bear Creek County Park, Elkhorn Valley Recreation Site and others. Primary dispersed recreational activities within the river corridor include dispersed hiking and camping, fishing, hunting, target practice, off-road vehicle use, horseback, and mountain bicycle riding.

Levels of river-based recreation are low to moderate compared to other rivers in the region. A challenging whitewater boating run is available for a portion of the year from the USFS boundary to the confluence with the North Santiam River. The run is found in several guidebooks, but does not draw many visitors relative to other segments in the region and is not run by any known commercial outfitters. Fishing for anadromous fish, primarily steelhead has been a historically popular activity along the Little North Santiam River. However, changes to fisheries management policy appear to have reduced the amount of bank fishing taking place. The river is not suitable for drift boat use. No regional events or commercial guiding activities are known to take place in the river corridor.

However, high levels of public access and high quality opportunities for camping and picnicking are present throughout the river corridor. These facilities, provided by the BLM, Marion County and private sector offer diverse recreation opportunities that draw visitors from throughout the region. Due to these factors, recreation on the Little North Santiam River is found to be an outstandingly remarkable value.

Fish: The fisheries resources of the Little North Santiam River are outstandingly remarkable. Winter steelhead trout and spring Chinook salmon inhabit the Little North Santiam River. Both UWR (Upper Willamette River) spring Chinook salmon and UWR winter steelhead trout are listed as threatened under the ESA. The Little North Santiam River is designated as critical habitat for both species. The Little North Santiam River is a key subbasin for the production of UWR winter steelhead, and is managed as a wild steelhead fishery by the Oregon Department of Fish and Wildlife (USBLM 1997). Spring Chinook salmon also spawn and rear in the Little North Santiam River. The North Santiam River basin is one of only two sub-basins in the UWR basin with substantial reproduction by wild Chinook salmon. More than 90% of the UWR run of spring Chinook is now comprised of hatchery-reared fish.

Fish habitat in the Little North Fork Santiam River is currently in fair to good condition. Fish habitat has been negatively impacted by the loss of habitat complexity and channel stability resulting from the historical removal of large wood (trees) from the river and its floodplain (USDI 1997). Listed fish are also negatively impacted by increased stream temperature in the Little North Santiam River and Elkhorn Creek due to loss of shade from riparian forest cover and increased solar heating resulting from over-widened channels in unstable floodplains. (Little North Santiam River and Elkhorn Creek Habitat Restoration Environmental Assessment and Finding of No Significant Impact.

Wildlife: Overall wildlife habitat within this river corridor is rated as fair with some areas still reasonably intact. No population of indigenous wildlife species, including elk, is considered to be of regional or

national importance, and no known threatened or endangered wildlife species are known to inhabit the river corridor. The wildlife resource of his river segment is of less than outstandingly remarkable value.

Other River Values and Characteristics

Ecology/Botany: *Delphinium oreganum*, Willamette Valley Larkspur occurs within the river corridor, but is not associated with the river. This species has a State Heritage rank of S1, is a Federal species of concern, listed endangered by the Oregon Department of Agriculture, and is on the Oregon Biodiversity Information Center status of List 1. There are no other rare botanical species in the river corridor. For these reasons, botanical resources do not rise to the standard of outstandingly remarkable.

River Corridor Setting - Access and Development: Along the 24-mile Little North Santiam River segment, six transportation bridges span the river. Public access to the river corridor is provided by roads that parallel the river corridor, primarily the North Fork County Road. Recreation access to the river is legal where Federal, State or County lands border the riverbed. The setting near the eastern end of the river segment near Mehama and Lyons is Rural. The setting on the western end of the river segment is Roaded Natural (Recreation Opportunity Spectrum). These settings are characterized by a natural appearing environment with moderate evidence of human activity. Resource modification and utilization practices are evident but harmonious with the natural environment. Conventional motor vehicle use is common on paved and graveled roads. Over 70% of the area lies within managed private forestlands with networks of forest roads within the river corridor. Legal access to a majority of the riverbed is limited by private ownership. Communities along the river include Mehama and Lyons on the west end at the confluence of the North Santiam River. A number of private homes and farmland developments lie along the river near these communities. Upstream, the sides of the river banks are in a natural state for approximately a hundred feet or more on both sides of the river. A higher than usual number of recreational developments is located with the segment and include: North Fork County Park, Canyon Creek Recreation Site, Bear Creek County Park, Elkhorn Valley Recreation Site, Elkhorn Valley Golf Course, Elkhorn Woods Park and Salmon Falls County Park. Two private camp developments include Camp Cascade and Upward Bound Camp at the eastern end. The river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 17.18-mile segment is a combination of Federal, private, County, and State lands (Table 45). Seven BLM parcels cross the riverbed for ownership on both sides. Most do not span the full ½-mile corridor. Two additional parcels lie within the corridor but do not border the riverbed on either side. There are nine total BLM parcels. BLM manages 1,205.27 acres (25.3 percent) within the river study corridor. The BLM manages 3.5 miles (18.3 percent) of shoreline along this segment.

Table 452. Land Ownership within the North Santiam River corridor.

Ownership	Acres	Percentage
BLM	1,205.27	25.3%
Local Government	0.54	0.05%
Private	185.17	3.9%
Private Industry	1,327.40	28.0%
Private Non-Industry	1,885.00	39.7%
State Dept. of Forestry	143.34	3.0%
USFS	1.64	0.04%

Land along the Little North Santiam River watershed is used primarily for commercial timber production, residential development, and recreation. Industrial forest production is the predominant private land use in the river corridor, and agricultural use is very limited and small in scale. There is a large number of year-round and vacation residences, most of which are adjacent to or near the LNSR. The private Elkhorn Valley Golf Course is also located within the river corridor. The unincorporated community Elkhorn located along the LNSR. At this time, there are no known proposed mining claims within the river corridor.

Currently, BLM lands within the corridor are classified as either general forest management area or connectivity. Visual Resource Management classifications include class I, II and III. The off-highway vehicle designation within the area is “limited.”

The Oregon State Water Resources Department records 46 water rights and 71 points of diversion on the 24-mile Little North Santiam River from Little North Santiam River to the North Santiam River. Run date is June 1. Table 46. shows water types and uses. These water rights are held for the support of aquatic life and fisheries, domestic uses and irrigation. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 46. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Storage	Aesthetics	2	5		2.1994
	Fire Protection	1	1		0.12
	Fish Culture	1	1		0.945
	Recreation	1	1		0.945
	Storage	2	5		4.665
	Wildlife	1	1		
Surface Water	Aesthetics	1	6	1.0	
	Anadromous and Resident Fish Rearing	1	1	180.0	
	Domestic	14	15	0.183	
	Domestic Expanded	2	2	0.02	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
	Domestic Including Lawn and Garden	7	7	0.06	
	Fish Culture	5	5	52.169	
	Human Consumption	1	1	0.0025	
	Irrigation	12	15	1.725	
	Livestock	2	2	0.0125	
	Recreation	2	2	0.5	
	Supporting Aquatic Life	1	1	40.0	
			Totals	**275.672**	**8.8744**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. This segment is within the Little North Santiam Special Recreation Management Area (SRMA), so designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment, including hiking and nature study. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and

historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least five locations, including a bridge on BLM-administered land in T9S, R3E section 8. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Little North Santiam River segment was added to the National Wild and Scenic Rivers System, the BLM, Salem District would be most suited to manage the land and resources within this boundary, unless Congress designated another agency. If the National Forest found the upstream segment suitable, the Willamette National Forest would be most suited to manage this river segment if it were designated.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: The BLM may pursue land acquisition from willing sellers as funds and opportunities arise in order to manage the area better for the protection of the ORVs. Designation of the segment would enhance the BLM's ability to obtain funding for such acquisitions, and acquisitions would enhance the BLM's ability to manage the segment. At this time, BLM does not consider any land acquisitions as essential for the management of a designated river corridor, so no detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

The United States Forest Service, Willamette National Forest has determined a 7.8 mile segment of the Little North Santiam River from its headwaters downstream to the boundary of the National Forest as eligible for potential designation into the National Wild and Scenic Rivers system.

The Forest Plan schedule has not been determined for the Willamette's revision effort. The Willamette National Forest and Salem District, Bureau of Land Management both manage lands under the Northwest Forest Plan. In addition, other laws, statutes, regulations and orders are common to both agencies. Besides eligibility determinations by each agency on relevant segments of the Little North Santiam River, there would be consistency in designation between BLM and USFS plans, programs and policies.

The State of Oregon has designated the portion of the Little North Santiam River upstream of the BLM's eligible segment as a State Scenic Waterway. (OAR 736-040-0044) The State Scenic Waterway segment extends from Battle Ax Creek downstream 7 miles to the Willamette National Forest boundary (7 miles) and therefore is included in the BLM's eligible segment under review.

Designated scenic waterways or segments thereof with related adjacent lands and shorelines still largely primitive and largely undeveloped, except for agriculture and grazing, but accessible in places by roads. Scenic River Areas may not include long stretches of conspicuous or well-traveled roads paralleling the river in close proximity, but may include extensive areas in agricultural use. Scenic Areas will be administered to maintain or enhance their high scenic quality, recreational value, fishery, and wildlife habitat, while preserving their largely undeveloped character and allowing continuing agricultural uses. Contact: Andrea Berkley (503) 872-5377

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Marion County has zoned lands along the Little North Santiam River as:

- Timber Conservation (82%),
- Acreage Residential (10%),
- Exclusive Farm Use (6%),
- Public (2%),
- Commercial (<1%).

.

Acreage Residential occurs every four or five miles along the roadway and river corridor on the western end of the river.

The purpose of the Timber Conservation (TC) zone is to conserve forest lands by maintaining the forest land base and to protect the forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture. The TC zone places primary emphases on forest use, but compatible uses are also allowed. These include uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment. Also included are locational dependent uses such as communication towers, and mineral and aggregate resources.

The purpose of the Acreage Residential (AR) zone is to provide appropriate regulations governing the division and development of lands designated rural residential in the Marion County Comprehensive

Plan. Acreage residential zones are areas that are suitable for development of acreage home sites. Such areas are necessary to meet the housing needs of a segment of the population desiring the advantages of a rural home site. It is the intent that residential sites are provided with adequate water supply and wastewater disposal without exceeding the environmental and public service capability of the area or compromising the rural character of the area.
Addl. information on zone definitions: http://www.co.marion.or.us/PW/Planning/zoning/

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.
The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing

recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Oregon DEQ issued a Total Maximum Daily Load (TMDL) Order for the North Santiam Sub-basin (HUC 17090005) in 2006. The Little North Santiam River was designated as water quality limited listing (303d) for temperature. The BLM submitted a Water Quality Restoration Plan (WQRP) for the North Santiam River sub-basin in 2008. The Little North Santiam River was included in the WQRP. The WQRP covers the management of BLM-administered lands within the affected watershed.

A Water Quality Restoration Plan was completed in (April 15, 2008) by the (BLM) District Bureau of Land Management and approved by Oregon DEQ which covered the North Santiam Sub-basin (HUC # 17090005) . Even without designation as a WSR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this creek or river. The Plan identifies implementation strategies to achieve this goal. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards. The Little North Santiam River is currently designated as water quality limited listing (303d) for temperature. A Total Maximum Daily Load (TMDL) order was issued for the North Santiam Sub-basin (4th Field HUC 17090005) in 2006.

The Marion County, Department of Public Works has identified the Little North Santiam as a possible location for future land acquisition and expansion/improvement of their recreation facilities at Bear Creek County Park (Marion County Parks Master Plan, 2010). WSR designation would be consistent with the objectives identified in this effort.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey.

A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to the Little North Santiam segment during this multi-phased outreach effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include: Maintain riparian buffers and minimize impacts from road building on public lands. Maintain channel integrity and natural hydrology; Continue efforts to understand historical range of channel stability and function. Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of

remaining areas. Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated the entire segment of the Little North Santiam River as a "protected area" for anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions

regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

Elkhorn Creek, a tributary of the Little North Santiam, is the only designated Wild and Scenic River within the watershed. Much of the LNS watershed is protected under the Opal Creek Wilderness and Opal Creek Scenic Recreation Area.

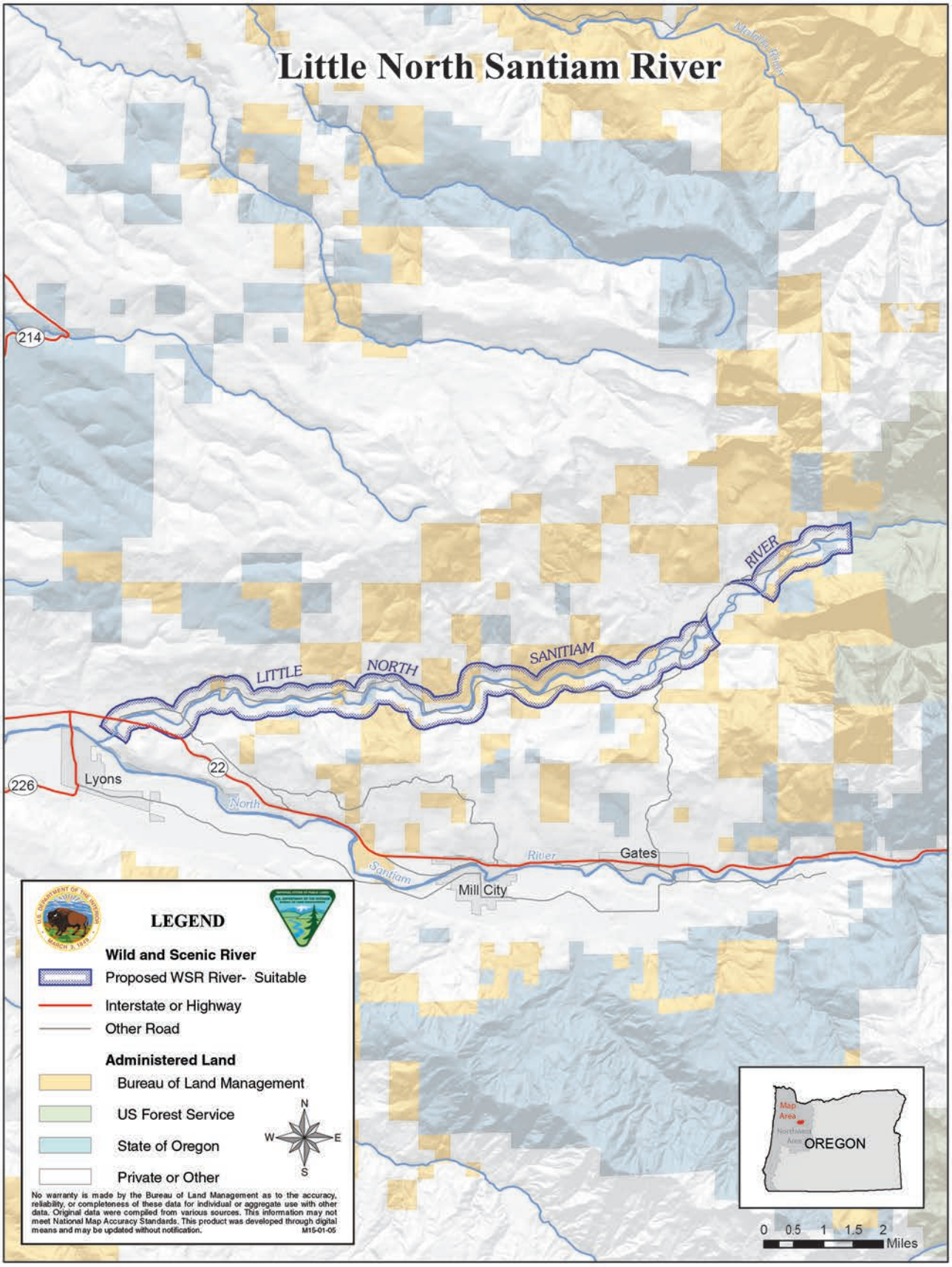
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Little North Santiam River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Little North Santiam River to be **suitable for inclusion** into the National Wild and Scenic Rivers System. The river's free flowing condition, water quality and outstandingly remarkable fisheries and wildlife values would be protected through designation. It has been determined that in conjunction with administrative measures, WSR designation is the best method for protection of the river corridor.

By determining that the portion of the reach, from the boundary of the Willamette National Forest downstream to the western boundary of BLM-administered lands in T. 9 S., R. 2 E. Section 09 is suitable, BLM minimizes potential conflicts between private landowners and the protective provisions of the Wild and Scenic Rivers Act. Specifically, the need to analyze projects proposed on private lands for potential impacts to Wild and Scenic River values would be minimized. Such consultation occurs when a private landowner seeks a Federal permit or funding from other Federal agencies, such as Army Corps of Engineers. The need for consultation would be limited to projects on private land where the effects of the proposed project stretch to upstream or downstream locations on Federal lands. Projects with impacts limited strictly to private lands would not require detailed analysis for impacts to Wild and Scenic River values. Projects on private lands that do not require a Federal permit or Federal agency funding would be exempt from any consultation requirements.


Little North Santiam River
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226
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Lyons
Mill City
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NORTH
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LEGEND
Wild and Scenic River
Proposed WSR River- Suitable
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Other Road
Administered Land
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Lobster Creek Wild and Scenic River Suitability Determination

Table 47. Lobster Creek Wild and Scenic River suitability.

Segment Name:	**Lobster Creek: Segment B**
Segment Description:	Segment B: Bear Creek to confluence with Five Rivers
Total Segment Length:	16.53 miles
Length on BLM Land:	0.06 miles
Total Segment Area:	4,716.94 acres
Area on BLM Land:	352.30 acres
Preliminary Classification:	Segment B: Recreational
Outstandingly Remarkable Values (ORVs):	Fish
Description of ORVs:	The eligibility determination for the Lobster Creek segment was made during the BLMs 1990 land use planning study.

Lobster Creek Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Lobster Creek is a tributary of the Alsea River and lies 12 miles inland from Waldport and Alsea Bay. The river drains portions of the Oregon Coast Range in Benton, Lincoln and Lane counties.

Lobster Creek was divided into two portions during the previous river study process. Segment A, upstream of this segment, was found not suitable for inclusion into the National Wild and Scenic River system in 1995.

Outstandingly Remarkable Values

Fisheries: The status of Oregon Coast coho Salmon is “Threatened” under the Endangered Species Act, in addition Oregon Coast steelhead are a Bureau Sensitive Species. Both species rear and migrate in this segment of Lobster Creek. Lobster Creek (segment B) has been designated Critical Habitat for OC coho salmon. Fall runs of Chinook are present though this segment of Lobster Creek, with some Spring Chinook present, as well as cutthroat trout and Pacific Lamprey.

Other River Values and Characteristics

Wildlife: The population of elk in the area is of significant, but not outstanding, regional importance, and the habitat provided within the river corridor is of exceptionally high quality relative to other areas within the region. No other regionally or nationally important populations of indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit this river corridor. The wildlife resource of this river segment is judged a significant, but not outstandingly remarkable value. Data for this analysis

was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Botany: No rare botany species occur within this river corridor. Therefore, the botany values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Scenic: The scenic quality of the Lobster Creek corridor has received a "B" rating as defined in the Visual Resources Handbook, 8410-1. The scenic value of this stream corridor is therefore judged less than outstandingly remarkable.

Recreation: The primary recreational activities in the watershed are hunting and dispersed recreational activities, such as driving and sightseeing. These activities are seasonal and occur mainly during the summer and fall. Berry picking, fishing, camping, and other activities occur on a limited basis. The determination has been made that no individual recreational activity (including sport fishing) or combination of activities is so unique or of such exceptional quality that visitors would be expected to travel from outside the region to participate. The overall recreational value is therefore judged less than outstandingly remarkable.

River Access and Setting: Lobster Creek Access and Development: The 16.5-mile Lobster Creek has at least seven bridges and one pedestrian bridge. Public access through the river corridor runs along the Lobster Creek road for its entirety. However, private lands may restrict public access to the creek for over half of its length. There are no communities along the creek. This creek's corridor is lined with rural residences and cleared lands with one tree farm after another in varying growth stages. This area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are often prevalent. Sights and sounds of man are evident, and the concentration of users is often moderate. Developed sites, roads, and trails are designed for moderate uses. Private lands run along the valley and creek through the USFS lands on the hillsides. Adjacent viewsheds portray timber harvest activities, but few have been recent. The overall setting is Roaded Natural. In this area, the landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. Besides a few bridge timbers or supports in the creek, this segment is free flowing with no impoundments. No recreation sites or developments are noted.

Criteria 2: The status of land ownership and use in the area

Land ownership for this 16.53-mile segment is a combination of Federal and private lands (Table 48). The western half of Lobster Creek lies within the Siuslaw National Forest. The eastern half is under multiple BLM/Private ownership. There is one parcel within the river corridor that crosses to the other side of the river and one that borders the riverbed on one side. Seven other parcels lie within the corridor but have no contact with the riverbed. There are nine total parcels. The BLM manages 352.3 acres (7.5 percent) within the river study corridor. BLM manages 0.06 miles (0.4 percent) of shoreline along this segment.

Table 48. Land Ownership within the Alsea River corridor

Ownership	Acres	Percentage
BLM	352.30	7.5%
Private	2,505.71	53.1%
Private Industry	674.08	14.3%
USFS	1,184.85	25.1%

The Oregon State Water Resources Department records 15 water rights and 32 points of diversion on the 16-mile Lobster Creek from Lobster Creek to Five Rivers. Run date is June 1. Table 49. below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 49. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFA)	Area Sum (Acre Ft.)
Storage	Recreation	2	4		2.005
	Wildlife	1	2		1.095
Surface Water	Anadromous and Resident Fish Rearing	1	1		
	Domestic Expanded	1	2	0.01	
	Domestic Including Lawn and Garden	1	1	0.01	
	Fire Protection	1	1		
	Human Consumption	1	1	0.005	
	Irrigation	7	13	2.065	
	Livestock	1	2	0.01	
	Pond Maintenance	1	2	0.01	
	Supporting Aquatic Life and Recreation	2	2	30.0	
			Totals	**32.11**	**3.1**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow, or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as

bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Lobster Creek segment were added to the National Wild and Scenic Rivers System, the BLM and US Forest Service would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

The BLM and Siuslaw National Forest are the primary land managers along this river segment. It is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances.

Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Lobster Creek lies in three counties: Benton (91%), Lincoln (4%) and Lane (5%).

- Benton County zones include:
- Multi-purpose Agricultural (40%),
- Exclusive Farm Use (40%),
- Forest Conservative (20%).

Agricultural dominates the western end, while the Exclusive Farm use occupies a majority of the eastern half.

The Exclusive Farm Use Zone (EFU) preserves lands for continued and future commercial agricultural production and related uses, and conserve and protect open space, wildlife habitats, and other uses associated with agriculture. The Forest Conservation Zone shall conserve forest lands, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, and protect the air, water, and wildlife resources in the zone. Further zone information: http://gis.co.benton.or.us/ZoningMap/index.htm

Lincoln County has zoned lands along Lobster Creek as Timber Conservation (100%).

Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Lane County lands are zoned as Non Impacted Forest (100%).

The purpose of this district is to implement the forest land policies of the Lane County Rural comprehensive Plan and conserve forest land for uses consistent with Statewide Planning Goal 4. The minimum size for new lots or parcels: 80 acres.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral

Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. OWRD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

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- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

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Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

There were no public comments submitted specific to Lobster Creek. One comment referenced Lobster Creek, but appears to have been in error based on geographic references in the comment field.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides BLM, the USFS is in the only other public landowner in the river corridor.

Lobster Creek runs through several miles of Forest Service lands administered by the Siuslaw National Forest. The Siuslaw National Forest did not conduct a study to determine eligibility of Lobster Creek for potential Wild and Scenic River designation in its Forest Plan of 1990. However, the BLM determined a 16.5-mile segment to be eligible, including several miles of river within the USFS boundary. The BLM section is upstream of USFS lands. With BLMs finding of eligibility, the FS indicates that they may study the river for eligibility later. Agencies would collaborate in the process. The Forest Service feels that the potential future designation should not deter from its plans, programs, and policies in meeting regional objectives, as they would be involved in the planning process.Prescriptions of management are similar since both agencies follow management direction from the Northwest Forest Plan.

The majority of land ownership along this river consists of private industrial and other private land holdings (67.4%). On these lands, uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 2.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This

document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated both segments of Lobster Creek as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

There is no designated Wild and Scenic Rivers within the Lobster Creek watershed. The most recent legislative proposal from Oregon Senator Ron Wyden, The O&C Act of 2013, includes designation of a segment of Lobster Creek upstream of this study segment. The segment is the same as Lobster Creek Segment A, which the BLM found not suitable for inclusion into the NWSRS in 1995.

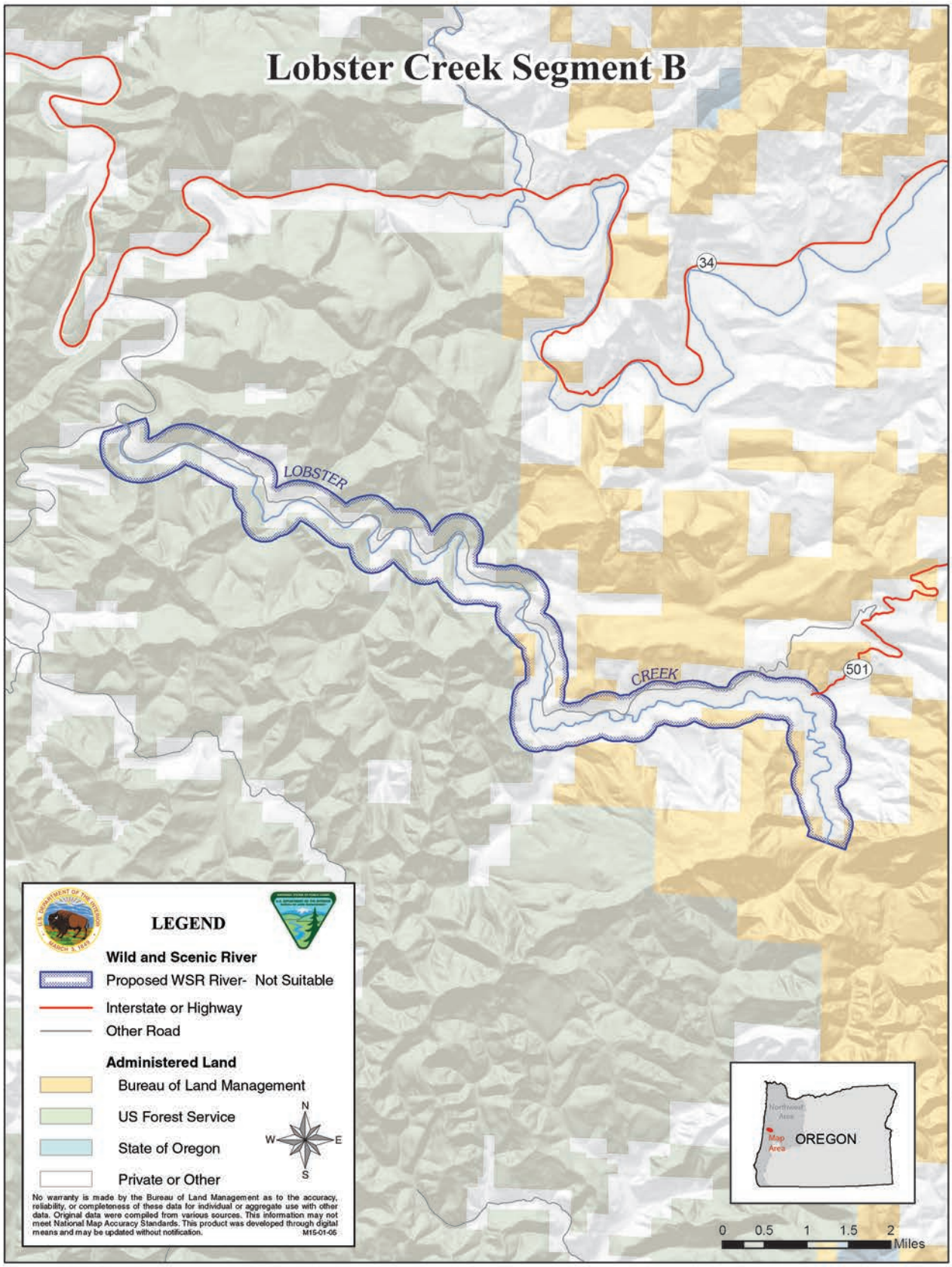
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Lobster Creek Suitability Determination

During this suitability analysis, it was determined that the fisheries resources on Lobster Creek no longer meet the threshold for an outstandingly remarkable value. Habitat quality through the segment is less than exceptional. Though listed and bureau sensitive fish species are present, compared to the surrounding river systems, the fisheries in this segment would not be considered outstandingly remarkable. From a fisheries and habitat standpoint, Lobster Creek does not contain any rare, unique, or exemplary features that support a designation.

Since fish are no longer an Outstandingly Remarkable Value, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


Lobster Creek Segment B
34
LOBSTER
CREEK
501
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
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Luckiamute River Wild and Scenic River Suitability Determination

Table 50. Luckiamute River Wild and Scenic suitability.

Segment Name:	**Luckiamute River**
Segment Description:	Headwaters to confluence with Willamette River
Total Segment Length:	61.62 miles
Length on BLM Land:	2.19 miles
Total Segment Area:	16,717.03 acres
Area on BLM Land:	623.52 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Ecology
Description of ORVs:	The eligibility determination for this segment of Luckiamute River was made during the BLMs 1990 land use planning study. In the 1990 eligibility assessment, the ecological value of the Luckiamute River was the segment's only Outstandingly Remarkable Value (ORV).

Luckiamute River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Luckiamute River is a tributary of the Willamette River, about 62 miles long draining an area of Central Oregon Coast Range and the western Willamette Valley. It rises in the remote mountains of southwestern Polk County before flowing into Benton County then northeast again into Polk County It is joined from northwest by the Little Luckiamute River then joins the Willamette near the confluence of the Willamette and Santiam Rivers.

Outstandingly Remarkable Values

Ecology/Botany: *Lathyrus holochlorus*, and *Delphinium pavonaceum* are both rare plant species known to occur within the corridor and have a List 1 status from the Oregon Biodiversity Information Center. List 1 species are either threatened with extinction or presumed to be extinct through their entire range. In this case, both species are threatened with extinction. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Other River Values and Characteristics

Recreation: The determination has been made that no individual recreational activity or combination of activities is considered to be of such outstanding quality that visitors would be expected to travel from outside the Mid-Willamette Valley region to participate. Sport fishing for all anadromous species present

is rated as only fair, while cutthroat trout fishing is rated as good. The recreational value of this river segment is therefore judged less than outstandingly remarkable.

Scenic: The scenic quality of this segment of the Luckiamute River has received a “B” rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Cultural: Approximately twenty documented cultural sites are located within this river corridor. A National Register of Historic Places eligibility has not been completed on any of the sites at this time. however because of the large number of sites it appears likely that one or more sites may be outstanding. However, since the majority of these sites are located on private land, the overall cultural value is therefore judged less than outstandingly remarkable.

Fish: The status of Upper Willamette River (UWR) winter steelhead is “Threatened” under the Endangered Species Act (ESA) and present in the segment. In addition, UWR Spring Chinook salmon is “Threatened” under the ESA are suspected to occupy the lower most portion of the segment. Upper Willamette steelhead, as well as some UWR Chinook, rear and migrate within this segment of the Luckiamute River. The Luckiamute River has been designated Critical Habitat for UWR winter steelhead. Coho salmon are present in the Luckiamute River in this segment as well as cutthroat trout and Pacific lamprey. Habitat stronghold for the Luckiamute River is located in the upper most portion of the segment, while the lower 30 miles of river is heavily impaired and nearly devoid of salmonids during summer months. While listed species and multiple salmonid species are present in the Luckiamute River, poor habitat conditions for much of the segment indicate fisheries would not be considered an outstandingly remarkable value.

Wildlife: The river corridor has a good population of deer, but it is not considered to be of regional or national importance. No regionally or nationally important population of indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit the river corridor. In addition, overall wildlife habitat is regarded as poor to fair. The wildlife resource of this river corridor is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM’s GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Setting: Luckiamute River Access and Development: Along the 61.6 mile Luckiamute River, 24 transportation bridges and 2 pedestrian bridges cross the riverbed. Two of the bridges within eleven miles on the eastern end have been flooded over and ripped. A logjam remains on site (Imagery 7/2012). One RR bridge crosses the river near Highway 99 (Pacific Highway). Most bridges span the entire river, but some may have support piers within the river channel. Public access to the river is legal where Federal, State or County lands border the river. On the western end of the river corridor, approximately 13 miles lies within a managed forest setting. This setting is Roaded Natural. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate; networks of roads often parallel the river’s canyon and branch out to the adjacent foothills. As in most corridors, the public has access through the corridor, but not always to the river, particularly on the eastern two thirds where the majority of the river is limited by private ownership. Public roads include State Highways 223 and 99W, and several other Polk and Benton County roads. Highway 223 parallels the river for about six

miles. The only community within the river corridor is the unincorporated town site of Hoskins. Farther east, the corridor transforms to more of a rural setting. This area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. A large number of agricultural, transportation and residences dominate the landscape. These can be seen from portions of the river. There is a vegetation buffer from 100 feet to 0.1 mile wide along the riparian zone of the river. This setting is natural and undeveloped. Outside this buffer, the eastern half of the river is dominated by cleared farmed lands for agricultural and livestock purposes. Close to Hwy. 99W, the Sarah Helmick State Recreation Site is located within the Luckiamute River corridor. The entire river segment is free flowing.

Criteria 2: The status of land ownership and use in the area

Land ownership for this 61.62-mile segment is a combination of Federal, private, county, and State lands (Table 51). Three BLM parcels cross the riverbed for ownership on both sides. Three additional parcels lie within the corridor, but do not border the riverbed. There are six total BLM parcels in the corridor. These all occur on the far western end of the river within several miles of the headwaters. BLM manages 623.52 acres (3.7 percent) within the river corridor. The BLM manages 2.19 miles (3.6 percent) of shoreline.

Table 51. Land Ownership within the Luckiamute River corridor

Ownership	Acres	Percentage
BLM	623.52	3.7%
Local Government	54.75	0.3%
Private	10,438.95	62.4%
Private Industry	5,142.39	30.7%
State Dept. of Forestry	6.19	0.04%
State Dept. of Parks and Recreation	404.27	2.4%
State Dept. of Fish and Wildlife	46.96	0.3%

The Oregon State Water Resources Department records 196 water rights and 293 points of diversion on the 61-mile Luckiamute River from its headwaters to its confluence with the Willamette River. Run date is June 1. Table 52. below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 52. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Domestic	1	1	0.2228	
	Irrigation	3	6	2.0524	
Storage	Aesthetics	1	2		0.76
	Fish Culture	1	2		0.76
	Industrial/Manufacturing Uses	1	1		22.0
	Livestock	1	2		1.8
	Multiple Purpose	3	3		25.0
	Recreation	1	2		0.76
	Storage	1	2		0.76
	Wildlife	10	13		56.22
Surface Water	Agriculture Uses	1	3	3.0	
	Domestic	15	15	0.0772	
	Domestic Expanded	4	4	0.04	
	Domestic Including Lawn and Garden	3	3	0.022	
	Fire Protection	2	3	1.165	
	Industrial/Manufacturing Uses	2	3	0.3	
	Irrigation	141	180	107.274	420.0
	Livestock	19	38	0.1068	
	Road Construction	1	1	1.115	
	Supporting Aquatic Life	4	4	75.0	
			Totals	**190.3752**	**528.06**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's free flow and water quality if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Luckiamute River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State, and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD)

would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Luckiamute River lies in Polk (85%) and Benton Counties (15%).

Polk County has designated the following zones for the Luckiamute River:

- Exclusive Farm Use (51%)
- Timber Conservation (46%)
- Public Park (1%)
- Suburban Residential (1%)
- Commercial (1%)

The eastern end of the river is primarily zoned as Exclusive Farm Use while the western end is Timber Conservation.
The purpose of the Exclusive Farm Use Zoning District is to conserve agricultural lands, consistent with the Goals and Policies of the Polk County Comprehensive Plan. This objective is achieved by establishing clear standards for the use and development of designated agricultural lands.
The Timber Conservation (TC) Zoning District is intended to:

a) Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses;
b) Conserve and protect watersheds, soil, fish and wildlife habitats and other such uses associated with forests;
c) Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management;
d) Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and as such, are beneficial to the economy of the County and to the welfare of its people.

Benton County has designated the following zones:

- Exclusive Farm Use (90%)
- Forest Conservation (10%)

The Exclusive Farm Use Zone (EFU) shall preserve and protect lands for continued and future commercial agricultural production and related uses, and conserve and protect open space, wildlife habitats, and other uses associated with agriculture. Except as otherwise provided by this code, the Exclusive Farm Use Zone shall preserve and maintain areas classified for farm use free from conflicting nonfarm uses and influences.

The Forest Conservation Zone shall conserve forest lands, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, and protect the air, water, and wildlife resources in the zone.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity

Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the Luckiamute River were generally supportive. One comment was submitted that specifically supported WSR designation.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act,which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

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Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

A small percentage of lands within the Luckiamute River corridor are managed by three divisions of the State of Oregon. (2.7% combined) and a very small fragment of local government land. Without a majority of land ownership, it would be difficult to support consistency of designation between Local, State and Federal agencies.

The Oregon State Parks and Recreation Department (OPRD) has a mission to provide and protect outstanding natural, scenic, cultural, historic and recreational sites for the enjoyment and education of present and future generations. The State's primary goals are to: 1) Protect the free flowing character of designated rivers for fish, wildlife and recreation, 2) Protect and enhance scenic, aesthetic and natural values, recreation, scientific research, and fish and wildlife qualities, and 3) Protect private property rights. OPRD also manages the Oregon Scenic Waterways program (1970) which closely parallels the Federal WSR program.

The OPRD manages 404 acres of land (2.4%) within the Luckiamute River corridor. The State has expressed a willingness to participate in the planning process of the Federal WSR program. Federal designation could result in dual designation by the State as a State Scenic Waterway. Joint efforts would ensure consistent WSR management decisions and program development (Contact: Jim Morgan, Stewardship Manager, ORPD, Salem Oregon. Aug. 2013. Phone: 503 986-0738).

The majority of land ownership along the river consists of private and private industry land holdings (93%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

The Oregon Department of Forestry (ODF) manages 6.1 acres (0.04%) within the Luckiamute River corridor. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be

some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
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Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

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Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including

enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

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Criteria 12: The contribution to river system or basin integrity.

There is no designated Wild and Scenic Rivers within the Luckiamute River watershed nor have there been any legislative proposals for additional Federal protection of the Luckiamute River or its tributaries.

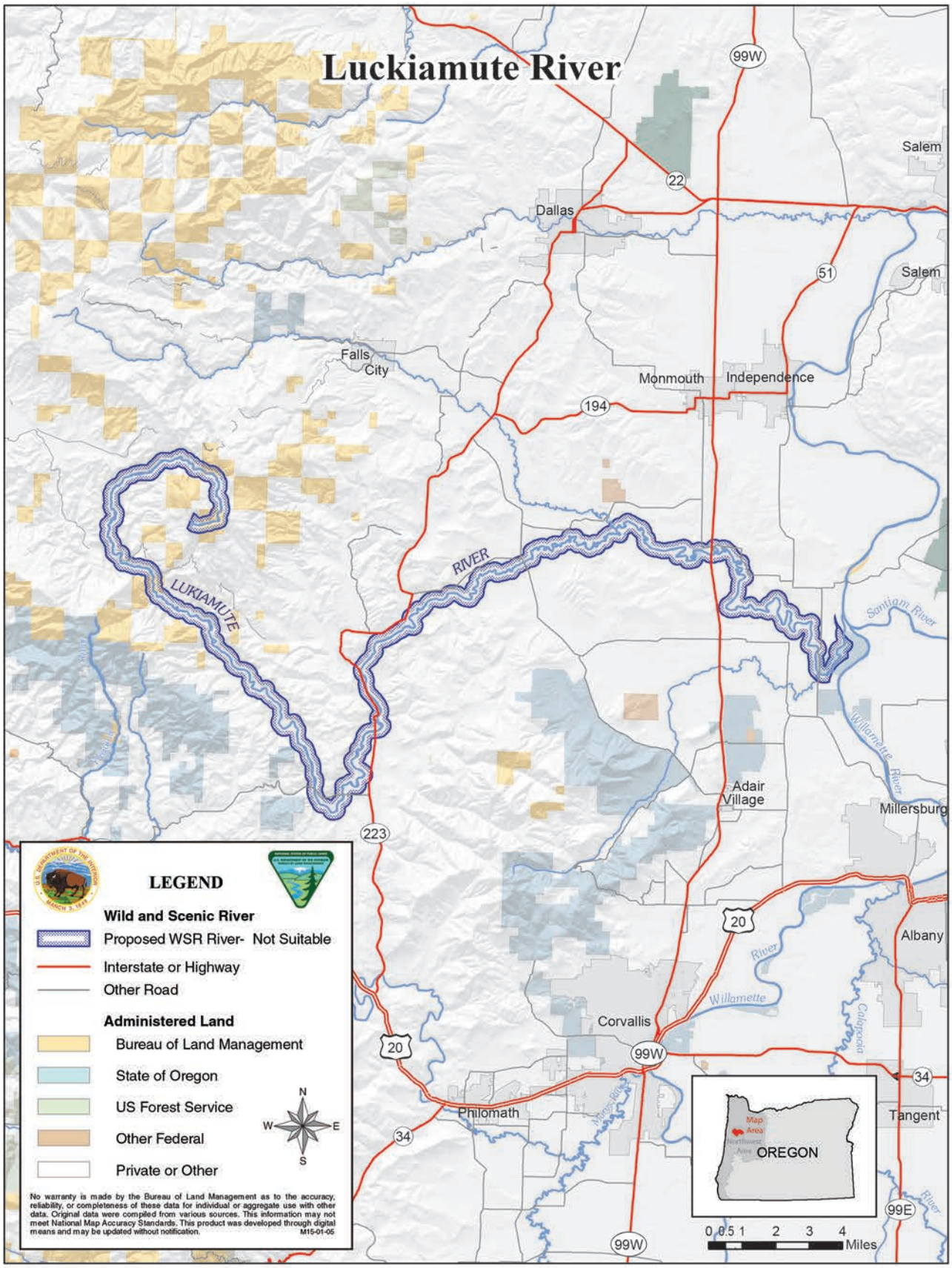
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Luckiamute River Suitability Determination

During this suitability analysis, it was determined that the ecology resources on the Luckiamute River segment no longer meet the threshold for an outstandingly remarkable value. This river segment is significant for botanical resources but not outstandingly remarkable. Several rare plant species occur within the river corridor, but are not associated with the river or its riparian zone. Although the botanical resources in this river corridor are significant, they are less than outstandingly remarkable because the habitats supporting the rare plant populations are not river dependent.

Since ecology resources are no longer Oustandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


Luckiamute River
99W
Salem
22
Dallas
51
Salem
Falls City
Monmouth
Independence
194
RIVER
LUKIAMUTE
Santiam River
Willamette River
Adair Village
Millersburg
223
20
Albany
River
Willamette
Calapooia
Corvallis
20
99W
34
Philomath
Tangent
34
99E
River
99W
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
State of Oregon
US Forest Service
Other Federal
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Middle Santiam River Wild and Scenic River Suitability Determination

Table 53. Middle Santiam River Wild and Scenic River suitability.

Segment Name:	**Middle Santiam River**
Segment Description:	Willamette National Forest boundary to slack water in Green Peter Reservoir
Total Segment Length:	7.83 miles
Length on BLM Land:	0.58 miles
Total Segment Area:	2,439 acres
Area on BLM Land:	193.40 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Cultural, Ecological
Description of ORVs:	The eligibility determination for the Middle Santiam River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of all river related ORV's.

Middle Santiam River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Middle Santiam River is a 38.5-mile long tributary of the South Santiam River County that drains a remote area of the central Cascade Range in Linn County. It flows generally west and southwest before draining into Green Peter Reservoir.

Outstandingly Remarkable Values

Cultural: Three cultural sites are currently recorded within the river corridor. National Register of Historic Places eligibility has not been completed on any of the sites at this time; however, because of the high site density, it appears likely that one or more sites may be outstandingly remarkable. One or more of these sites is located on BLM-administered land. The overall cultural value is therefore rated as outstandingly remarkable.

Ecology: The ecological value of this river segment is judged outstandingly remarkable due to the presence of the Middle Santiam Terrace Area of Critical Environmental Concern located within the corridor. This area is an outstanding example of an old growth western hemlock and Douglas-fir forest, and is considered rare because of its location on a river terrace.

Other River Values and Characteristics

Scenic: The scenic quality of this segment of the Middle Santiam River corridor has received a "B" Rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Recreation: No legal public access to this river segment is available. Because of the lack of public access, no specific recreational activity or combination of activities is expected to attract visitors from outside the Mid-Willamette Valley region. The overall recreational value is therefore judged less than outstandingly remarkable.

Fish: The fisheries resource of this river segment is judged to be of less than outstandingly remarkable value. Presently only rainbow and cutthroat trout inhabit this river segment. Foster and Green Peter dams prevent the movement of all anadromous fish populations upstream into this segment making it probable that these fisheries are not close to outstanding relative to other rivers in the region. Trout production and habitat within this segment is fair.

Wildlife: No population of indigenous wildlife species, including elk, found within the river corridor is of national or regional importance, nor is the habitat of exceptionally high quality. The river corridor is considered important winter range for elk in the area, but this in and of itself is not considered to be of outstanding value. In addition, no known threatened or endangered wildlife species are located within the river corridor. The wildlife resources are judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Setting: Middle Santiam River Access and Development: Along the 7.8 mile Middle Santiam River, at least four bridges or creek crossings traverse the river. Public access through the corridor and to the river is available from an adjacent forest road, which parallels the entire segment. On private lands, access from the road to the river may not be legal. There are no communities along the river corridor. The primary features and uses of the landscape are private timber harvest management. The setting is Roaded Natural. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. A meandering network of graveled roads winds throughout the hillsides in the middle and backgrounds to the river study area. Few of these roads would be visible from the river. No agricultural, residential, recreation or business developments are located in the area. The river segment is free flowing.

Criteria 2: The status of land ownership in the area

Land ownership for this 7.83-mile segment is a combination of Federal (BLM, Army Corp of Engineers, USFS) and private lands (Table 54). One section of BLM land within the river segment crosses the full river corridor at the western end. BLM manages 193.4 acres (7.9 percent) within the river corridor. The BLM manages 0.58 miles (7.4 percent) of shoreline. BLM land within the river segment is incorporated by the Middle Santiam Terrace Area of Environmental Concern.

Table 54. Land Ownership within the Middle Santiam River corridor.

Ownership	Acres	Percentage
BLM	193.40	7.9%
Corp of Engineers	2.20	0.09%
Private	2,233.50	91.6%
USFS	10.03	0.4%

The Oregon State Water Resources Department records no water rights and no points of diversion on the 7.8-mile Middle Santiam River with a run date of June 1.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. However, the downstream end of the river segment is marked by the slack water of Green Peter Reservoir, a hydroelectric project operated by the Army Corps of Engineers. Designation of the Middle Santiam River in its current extent may foreclose options to increase the storage capacity of the reservoir in the future.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Middle Santiam River segment were added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

The BLM is the primary land manager along this river segment. It is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

The Willamette National Forest has also determined a segment of the Middle Santiam River upstream of BLM ownership to be eligible for inclusion into the National WSR system, but has not conducted a suitability study.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Linn County has zoned all lands of the Middle Santiam River segment as Forest Conservation and Management FCM (100%). The purpose of the FCM zoning district is:

a) To retain forest lands for commercial cultivation, management, protection and harvest of forest crops;
b) To provide for the protection of fish and wildlife habitats, watersheds, scenic resources and air, water and land resource quality;
c) To allow for public and private outdoor recreational uses; and
d) To provide for land uses compatible with forest practices.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Middle Santiam River were generally supportive of WSR designation. Three comments specific to the river were received. Two highlighted the rivers relatively undeveloped condition and a third advocated for improved public access.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions

concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

An additional reach of the Middle Santiam River above the BLM segment was studied for potential WSR designation by the Willamette National Forest with public comment to the DEIS and Draft Forest Plan in 1987. Two segments were found eligible for designation: 1) From Section 36, T. 12 S., R. 5 E., to Forest Road 2041 (2.0 miles), 2) From Forest Road to Western Forest boundary (6.0 miles). A Suitability Study has not been completed to determine designation into the National Wild & Scenic River system. The Willamette National Forest and Salem District, Bureau of Land Management both manage lands under the Northwest Forest Plan. In addition, other laws, statutes, regulations and orders are common to both agencies. Besides eligibility determinations by each agency on relevant segments of the Little North Santiam River, there would be consistency in designation between BLM and USFS plans, programs and policies.

The U.S. Army Corps of Engineers (USACE) manages 2 acres within the Middle Santiam River segment. USACE's mission is to provide vital public engineering services to strengthen our Nation's security, energize the economy, and reduce risks from disasters. The USACE has conveyed interest in coordinating and cooperating with the BLM if planning proceeds with a suitability study. The Corps desires consistency in developing compatible land/resource use goals, to be good stewards and efficiently manage mutually shared public resources. A proposal for WSR designation that includes Corps lands would require thorough environmental and programmatic review by the Corps District and Project Offices.

A Wild and Scenic River designation is likely consistent with some Corps goals but may not be compatible with others. Case in point: restoration of listed fish is a National goal that may be promoted by such a designation. However, fisheries restoration projects, like construction of mandated fish passage or collection facilities, may not be compatible. The Corps would be unlikely to support designation that would unduly restrict or affect the primary missions of flood damage reduction, hydropower production, or fisheries management and, in some cases, irrigation responsibilities.

Lands below the Corps dams are maintained for a variety of purposes. In all cases, these lands must remain available in order to rebuild the dams upon structural failure. This is part of the Corps justification for retaining them. Dams have life spans and eventually will be re-constructed. The Corps would need specifics from BLM regarding the effects that a WSR designation would have on the Corps ability to accomplish routine operations, maintenance and special project needs such as major reconstruction.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
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Criteria 12: The contribution to river system or basin integrity.

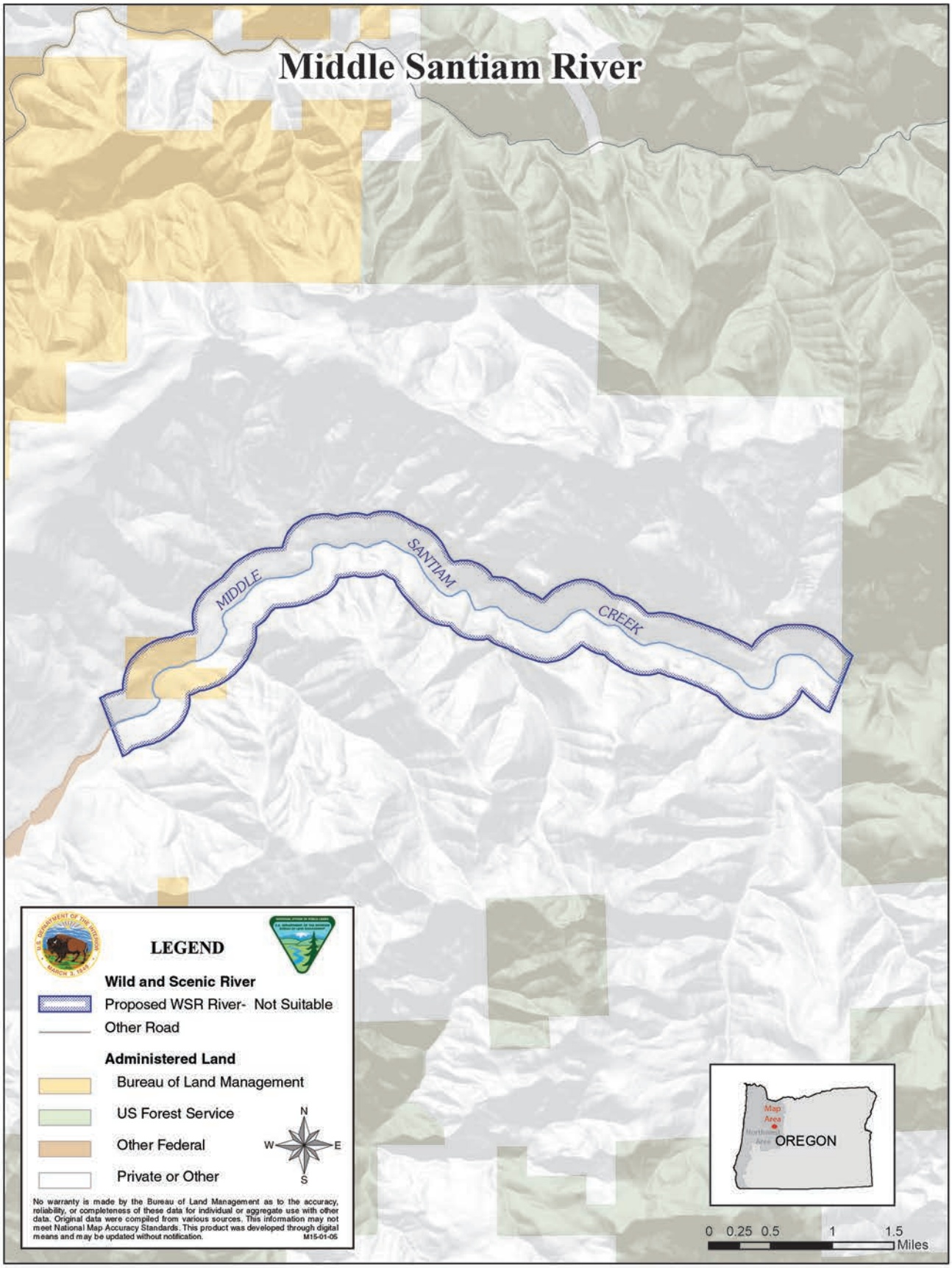
Designation of the Middle Santiam River as wild and scenic would expand Federal river protections in the Middle Santiam watershed. Quartzville Creek is a tributary of the Middle Santiam River that forms the northern arm of Green Peter Reservoir. It was designated a Wild and Scenic River in 1988 and is under the administration of the Bureau of Land Management, Salem District.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Middle Santiam River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Middle Santiam River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM’s ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is relatively low. Current land use protections exist on Federal land within the river corridor – primarily the administrative designation of the Middle Santiam Terrace ACEC. In addition, it has been determined that one or more non -compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the river’s free flowing condition, water quality and outstandingly remarkable recreation values.


Middle Santiam River
MIDDLE
SANTIAM
CREEK
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Other Road
Administered Land
Bureau of Land Management
US Forest Service
Other Federal
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Map Area
OREGON
0 0.25 0.5 1 1.5
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Nehalem River Wild and Scenic River Suitability Determination

Table 55. Nehalem River Wild and Scenic River suitability.

Segment Name:	**Nehalem River**
Segment Description:	Headwaters to confluence with Nehalem Bay
Total Segment Length:	123.65 miles
Length on BLM Land:	0.2 miles
Total Segment Area:	36,643 acres
Area on BLM Land:	40.03 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreation
Description of ORVs:	The eligibility determination for the Nehalem River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Recreation, Fish, and Wildlife ORVs. In the 1990 eligibility assessment, the fisheries biologist rated the fisheries as an Outstandingly Remarkable Value (ORV).

Nehalem River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Nehalem River is 124 miles long and drains part of the Northern Oregon Coast Range northwest of Portland, originating on the east side of the mountains and flowing in a loop around the north end of the range near the mouth Columbia River. Its watershed of 855 square miles includes an important timber-producing region of Oregon. The river is the longest river in the Oregon Coast Range.

Outstandingly Remarkable Value

Recreation: Upon further evaluation using BLM guidelines, the determination has been made that this river is indeed an outstanding recreational value. Sport fishing and drift boating on the river regularly attract visitors from outside of the North Coast region as well as many local residents. The river also offers good to excellent opportunities for non-motorized rafting and kayaking. The overall recreational value is therefore judged outstandingly remarkable.

Fish: The status of Oregon Coast coho Salmon is “Threatened” under the Endangered Species Act. In addition steelhead are a Bureau Sensitive Species, both species spawn and rear in this segment of the Nehalem River. Both a fall and summer run of Chinook are present in the Nehalem. Habitat (water quality) specifically temperature in summer exceeded criteria for extended periods (DEQ, Water Quality Status and Action Plan North Coast Basin 2011) this has potential to influence fish resources.

Other River Values and Characteristics

Wildlife: Elk production and habitat are good within the river corridor; it is no better than the average for the region. Black-tailed deer production and habitat are also average for the region. No nationally or regionally important population of indigenous wildlife species is known to inhabit the river corridor, nor does the corridor contain any known threatened or endangered wildlife species. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Botany: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Scenic: The scenic quality of the Nehalem River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this stream corridor is therefore judged less than outstandingly remarkable.

River Setting, Access and Development: Along the 124-mile Nehalem River, at least 30 transportation bridges cross the river. A few crossings on the eastern end near the headwaters are drive through water crossings. Bridges appear to span the full width of the river; however, aerial photo review is difficult to determine bridge piers set in the river channel. Public access to the river corridor is provided by roads that parallel most all of the river corridor except for the last few miles to the headwaters. Primary roads that parallel the river from west to east are: Foss Road, Lower Nehalem Road, Fish Hawk Falls Highway (103), Nehalem Highway (202), Old 77 Highway, Nehalem Highway N. (47), Timber Road, and NW Vernonia Road. Others crossings occur at State Highways 53 and 26. An abandoned Rail Road line parallels the river for 14 miles on the western end of the corridor. Access to the actual river is legal where Federal, State or County lands access the river, which is under 25%, most being under State control. Beginning at the communities of Wheeler and Nehalem, the first several miles of river corridor is lightly populated with agricultural fields and rural residences.

The river corridor is in a natural condition with few developments for the next 25 miles. Active timber management is light. The middle 60-mile section between Elsie and Vernonia is a rural setting with cleared fields and agricultural developments along the river corridor. Many tree farms dominate the landscape east of Birkenfeld. Other developments along the full river corridor include gravel pits, a motorized race trace, airstrip, water treatment ponds near Vernonia and several major power line crossings on the eastern end with multiple lines and cleared pathway. Parks include the Henry Rierson Spruce Run Campground and the Sunset Hwy. Forest Wayside. On the eastern end before Vernonia to the headwaters, the setting changes to Roaded Natural and private timber harvest management. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. Networks of forest roads cross adjacent hillsides above the river corridor. Access to a majority of the actual river may be legally limited by private ownership. Communities along the river study area include Nehalem, Elsie, Jewell, Birkenfeld and Vernonia. They are all relatively small and rural in nature. A lake and three structured water ponds lie immediately next to the river in Vernonia. A community trail spans

the river in this town. Occasional day-use sites exist along the river's edge. The entire river segment is free flowing with the exception of possible support piers under bridges.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 123.65 mile segment is a combination of Federal, private, State, and Water lands (Table 56). One BLM parcel borders one side of the riverbed and another only lies within the corridor but does not touch the riverbed. There are two total BLM parcels. BLM manages 40.03 acres (0.1 percent) within the river corridor. The BLM manages 0.2 miles (0.16 percent) of shoreline.

Table 56. Land Ownership within the Nehalem River corridor.

Ownership	Acres	Percentage
BLM	40.03	0.1%
Private	19,870.73	54.2 %
Private Industrial	7,779.58	21.2 %
State	8,636.75	23.6 %

The largest private land owners are Longview Fibre (35% of private land) and Willamette Industries (28% of private land). Both companies use the land for timber resources. Many small plots of land owned by individuals are located along the Nehalem River and its major tributaries. These comprise 21% of the private land in the watershed. The remaining portion of the private land is owned by other timber companies.

Forestry is the major land use activity in the watershed (92% of land). Land used for agriculture comprises about 4% of the watershed area and is located in the low gradient areas in the lower and middle watershed. Urban areas only account for 0.5% of the total watershed area (Nehalem River Watershed Assessment)

The Oregon State Water Resources Department records 107 water rights and 170 points of diversion on the Nehelam River with a run date of June 1. Table 57 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types.

Table 57. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Municipal Uses	1	3		
Storage	Aesthetics	1	2		
	Fish Culture	2	2		179.0
	Multiple Purpose	1	2		27.9
	Recreation	1	2		
	Storage	1	2		9.0
	Wildlife	1	2		
Surface Water	Agriculture Uses	1	1	0.005	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
	Anadromous and Resident Fish Rearing	1	1	10.0	
	Campsite	1	1	0.005	
	Commercial Uses	2	2	0.14	
	Domestic	32	33	0.8062	
	Domestic And Livestock	2	2	0.01	
	Domestic Expanded	13	13	0.107	
	Domestic Including Lawn and Garden	7	9	0.0722	
	Fish Culture	3	4	4.55	
	Industrial/Manufacturing Uses	4	7	1.175	28.0
	Irrigation	37	44	7.024	3.0
	Livestock	14	18	0.105	
	Pond Maintenance	1	1	0.355	
	Recreation	3	6	0.1	3.0
	Supporting Aquatic Life	8	8	730.0	
	Wildlife	2	5	0.009	3.0
			Totals	**754.4634**	**252.9**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer

of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least 3 locations, including a bridge on BLM-administered land in T7S, R8W section 32. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Nehalem River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the Nehalem be designated, the BLM would likely approach the Oregon Department of Forestry for assistance in managing river-related values. ODF manages over 20% of lands within the river corridor.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: .At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Nehalem River flows through four counties: Tillamook (30%), Clatsop (30%), Columbia (32%), and Washington (8%).

Tillamook County contains the both ends of the river: the mouth and the headwaters. Zoning designations include:

Forest Zone (F) 55% This zone is primarily located on the eastern section of the river in the county, and the full three mile section from the headwaters to the Washington County line. Tillamook County adopted Forest Zone (F), however, it is not in conformance to current state law (June, 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

Farm Zone (F-1) 29%. This zoning lies primarily on the western end of the river near the Nehalem Bay. Tillamook County adopted Farm (F-1). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

Estuary Zone: 5% This zone occurs on the western end of the river at Nehalem Bay with the majority of acreage at the mouth, then continues up the river from bank to bank for approximately 10 miles. General priorities include:

Uses which maintain the integrity of the estuarine ecosystem.
Water-dependent uses requiring an estuarine location, as consistent with the overall Oregon Estuarine Classification.

Water-related uses, which do not degrade or reduce the natural estuarine resources and values. Non-dependent, non-related uses, which do not alter, reduce or degrade the estuarine resources and values.

Rural Residential (RR) 3%. Several small parcels are located along the western and center of the river corridor. The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

Small Farm and Woodlot (SWF-20) 3% Tillamook County adopted SWF-20. Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

City of Nehalem Urban Zoning 3%. The river corridor runs through the City of Nehalem urban zone. Many complex developments are zoned within this area. It is located near the west end of the river. City zoning is broken into several further categories.

City of Wheeler Urban Zoning 1%. West end of river. The river corridor runs through the City boundary on its southern side. There are many complex developments throughout this area.

Recreation Management (RM) <1% This small section of zones are adjacent or within Nehalem City Limits. The purpose of the RM zone is to designate areas for public and private parks and day-use facilities, including such areas that contain significant natural or scenic values. The RM zone is intended to accommodate the type of recreational developments that preserve an area's natural values; it is not intended for intensive recreational developments that do not retain substantial open space on the property. (http://www.co.tillamook.or.us/gov/comdev/planning/luo.htm)

Small Farm and Woodlot (SWF-10) <1% One small zone. The purpose of the SFW-10 zone is to permit small-scale farms and large acreage rural residential homesites on land that has potential for small-scale farm or forest uses, but because of limitations, it is impractical for the Farm or Forest zone. It also provides a buffer between non-resource uses and lands that are managed for farm or forest uses, thereby ensuring that the conversion of such lands to higher density uses occur in an orderly and economical manner. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

General Industrial (M-1) <1% The purpose of the M-1 zone is to accommodate uses that cannot be accommodated in other zones due to off-site impacts that could, without sufficient buffers, interrupt the use or enjoyment of surrounding properties. Uses listed in Section 3.032 are permitted in the identified Port of Tillamook Bay Industrial Park "M-1 Zone" and the Tillamook Creamery "M-1 Zone" only.

Clatsop County has designated the river corridor as follows:

- Forest 80 (45%)
- Agriculture Forestry (30%)
- Exclusive Farm Use (14%)
- Residential Agricultural 5 (8%)
- Residential Agricultural 1 (1%)
- Open Space (1%)
- Recreation Management (1%)
- Residential zones and the smaller community zones are within proximity of Birkenfeld, Jewell and the Nehalem Valley Community.

The purpose of the Forest zone is to conserve forest lands by maintaining the County's forest land base; to protect the County's forest economy by making possible economically efficient forest practices that assure the continuous growth and harvest of forest tree species as the leading use of forest land consistent with sound management of soil, air, water, fish and wildlife resources, and scenic resources; and to provide for public and private recreational opportunities and agriculture.

The following uses are permitted: Forest operations including reforestation of forest land, road construction and maintenance, harvesting of forest tree species, application of chemicals, and disposal of slash.

The Agricultural Forestry zone is intended to provide for small-scale forest management and agriculture where parcel size and ownership patterns are not appropriate for the larger-scale commercial practices such as those found in the Forest-80 (F-80) or the Exclusive Farm Use (EFU) zones. The purpose of the AF zone is to encourage forestry and agriculture as primary uses of such lands with a view of preserving such land for as long as possible for the production of forest and agricultural products.

Columbia County has designated the river corridor as follows:

- Primary Forest (PF80) (84%)
- Primary Agriculture or Exclusive Farm Use (PA80) (5%)
- Forest Agriculture (FA80) (4%)
- Rural Residential-5 Ac. Min (RR-5) (4%)
- City Limits of Vernonia (Urban 2%)
- Rural Community (RC) (<1%)
- Community Service–Recreational (CSR) (<1%)

The purpose of the Primary Forest zone is to retain forest land for forest use and to encourage the management of forest land for the growing, harvesting, and processing of forest crops consistent with the Oregon Forest Practices Act. Uses in this zone will also provide for other forest uses including watershed protection, soil protection, maintenance of clean air and water, wildlife and fisheries habitat, outdoor recreation activities, open space and scenic preservation, and agricultural activities free from the encroachment of conflicting non-forest uses and influences. The Primary Forest (PF) Zone is intended to: Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses;

Conserve and protect watersheds, soil, fish and wildlife habitats and other such uses associated with forests; Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management;

Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and, as such, are beneficial to the economy of the County and to the welfare of its people.

EFC is intended to provide for forest uses and the continued use of lands for renewable forest resource production, retention of water resources, recreation and other related or compatible uses. Prohibits uses of land which are not compatible with the management and development of forest resources. In most cases, new lots must be a minimum of 80 (eighty) acres.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to

preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers , rearing and spawning; and resident fish and aquatic life.

The North Fork of the Siletz is not currently listed by DEQ as a 303d impaired water quality for temperature, turbidity or sedimentation. It is currently being analyzed under the Mid coast implementation ready TMDL. It most likely will be included in the TMDL order as contributing tributary to the Siletz River that is on the 303d list as an impaired water quality body for temperature and sedimentation/turbidity.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Nehalam River were generally mixed, with six total comments submitted. Roughly, half the comments identified the primary uses of the river as logging and recreational use.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of

timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry (ODF) manages 8,637 acres (23.6%) within the Nehalem River corridor in the Tillamook and Clatsop State Forest. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

The majority of lands are managed by private and private industrial land holdings (75.4%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.
Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council: The Council has designated this segment as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

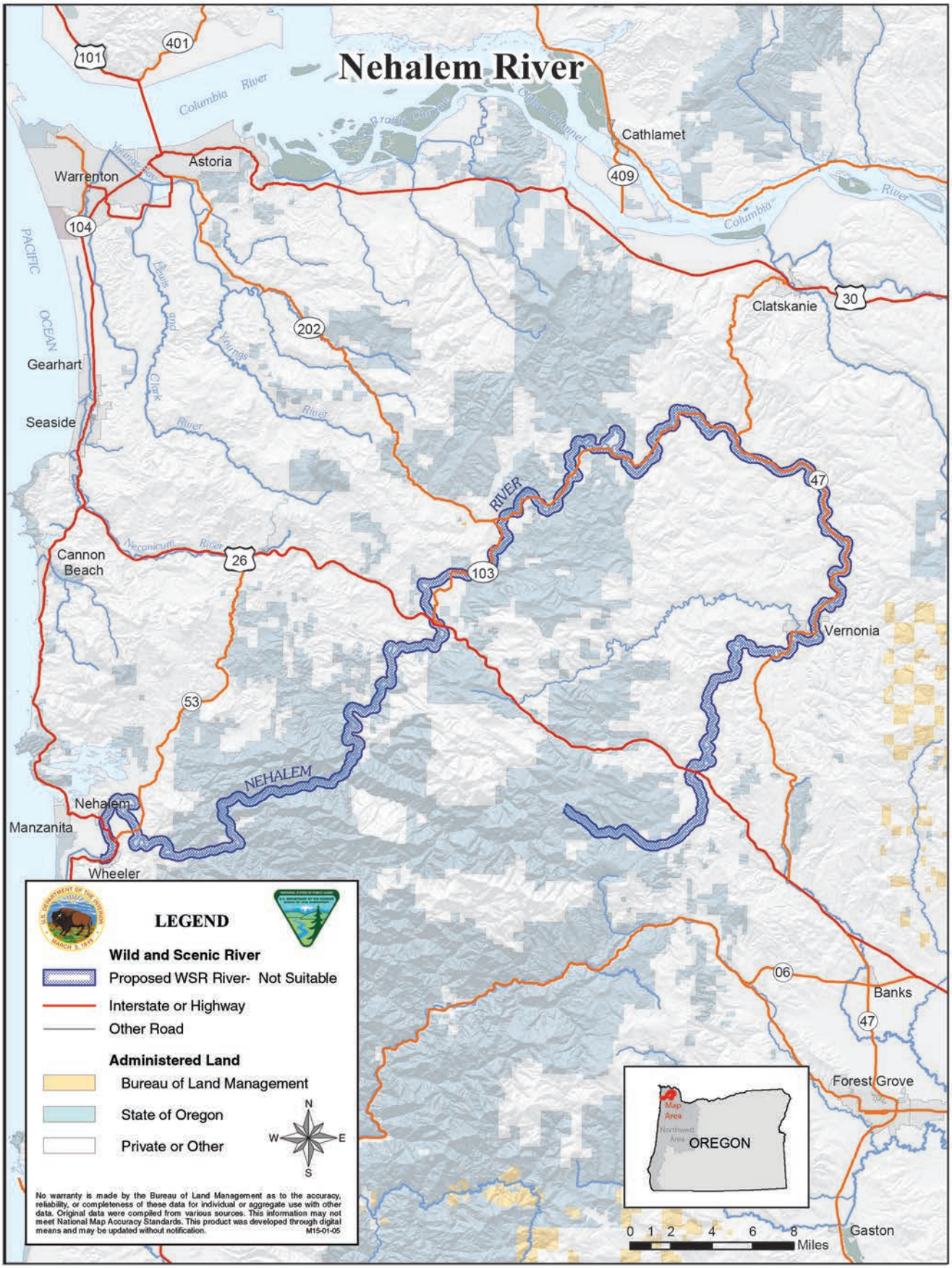
There is no designated Wild and Scenic Rivers within the Nehalem River watershed nor have there been any legislative proposals for additional Federal protection of the Nehalem River or its tributaries.

Criteria 13: The potential for water resources development. I

No plans for significant water development in the segment were identified during this study.

Nehalem River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Nehalem River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality, and outstandingly remarkable recreation values.


Nehalem River
Columbia River
Cathlamet
Astoria
Warrenton
Clatskanie
Gearhart
Seaside
Cannon Beach
Vernonia
Nehalem
Manzanita
Wheeler
Banks
Forest Grove
Gaston
PACIFIC OCEAN
Lewis and Clark River
Youngs River
Neconicum River
NEHALEM RIVER
101
401
409
104
202
30
47
26
103
53
06
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
State of Oregon
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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Nestucca River Wild and Scenic River Suitability Determination

Table 58. Nestucca River Wild and Scenic River suitability.

Segment Name:	**Nestucca River Segment B**
Segment Description:	Western boundary of T. 4 S., R. 7 W., Section 7 to the confluence of Moon Creek at Blaine T. 3 S., R 8 W., Section 29.
Total Segment Length:	8.00 miles
Length on BLM Land:	0.57 miles
Total Segment Area:	2,398.09 acres
Area on BLM Land:	211.73 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Scenic, Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for the Nestucca River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Scenic, Recreational, Fish, and Wildlife ORVs.

Nestucca River Segment B Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Nestucca River originates in the northern Oregon Coast Range and flows 50 miles, draining the western slope of range in Yamhill and Tillamook Counties. The river impounded near its headwaters to create McGuire Reservoir, the primary water source for the city of McMinnville. The river flows generally west through BLM and USFS administered land past the communities of Beaver, Hebo, and Cloverdale before entering Nestucca Bay and draining into the Pacific Ocean.

Outstandingly Remarkable Values

Scenic: The scenic quality of the Nestucca River corridor has received an “A” rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged outstandingly remarkable.

Recreation: The Nestucca remains one of the most popular recreation fisheries on the North Coast, regularly attracting attention and visitors from outside the region. Numerous commercial guides offer services on the lower Nestucca. While this segment is no longer available for salmon fishing, it is one of the top sport fishing rivers in the state for summer and winter steelhead. Cutthroat trout fishing is also better than average. The fishing along this river includes both drift fishing and bank fishing, with both methods attracting large numbers of both local and out-of-region participants. Due to these factors, recreation values along the Nestucca are outstandingly remarkable.

Fish: The status of Oregon Coast coho salmon is "Threatened" under the Endangered Species Act. In addition, steelhead is a Bureau Sensitive Species. Both species spawn and rear in this segment of the Nestucca River. Segment B of the Nestucca River is designated as critical habitat for Oregon Coast coho salmon. Both a fall and spring run of Chinook are present in the Nestucca River in this segment. This segment of the Nestucca in combination with currently eligible portion upstream is the primary rearing area for Oregon Coast coho in the Nestucca Watershed, approximately 70% of the summer rearing population is located in this segment of the Nestucca River and major tributaries to it. Due to the high numbers of rearing coho in this river segment, it is judged to be an outstandingly remarkable value for fish resources.

Wildlife: Elk and black-tailed deer production and habitat within the river corridor is very good but is no better than the average for the region. No confirmed sightings of any threatened or endangered wildlife species within the river corridor have been documented, although it is possible that northern spotted owls inhabit the corridor. Bald eagles, a BLM sensitive species, also are suspected to use this river corridor occasionally. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value.

Other River Values and Characteristics

Botanical: The botanical value of the river corridor is less than outstanding because there are no reported sites of rare botanical species in the corridor.

River Setting - Access and Development: Along the 8-mile Nestucca River, 5 motorized bridges and 1 footbridge cross the river. Access to the majority of the riverbed may be restricted by private ownership. Public access through the river corridor is available on the Upper Nestucca River Road, a paved County Road (858) which parallels the full length of the segment. Evidence of timber management practices lie along the entire route. Harvests and hauling roads are visible along the corridor. The river is buffered by a riparian zone's thick vegetation and trees. From the river, many of the residences and adjacent timber harvests would be visually screened. The character of the corridor spans from light rural development to a Roaded Natural forest setting. These settings are characterized by a natural appearing environment with moderate evidence of human activity. Interaction between users is low to moderate. Resource modification and utilization practices are evident but harmonious with the natural environment. Conventional motor vehicle use is common on paved and graveled roads. (Google Earth, 2013 G. Morgan) Bank access to the lower river is limited because much of the land is privately owned, but the stream, which is 50 to 100 feet (15 to 30 m) wide on the lower reaches, is often fished from boats. Cloverdale, Farmer Creek, Three Rivers, and Pacific City have public boat ramps, and there are less formal put-in places upriver. Upstream of Moon Creek, more than half of the land along the river is publicly owned, and is managed by the Siuslaw National Forest and the BLM, which includes five campgrounds.

Criteria 2: The status of land ownership in the area

Land ownership for this 8.0-mile segment is a combination of Federal and private lands (Table 59). Two BLM parcels cross the entire corridor; and one lies within but does not border the riverbed. Three total

BLM parcels lie in the study area. BLM manages 211.73 acres (8.8 percent) within the river corridor. The BLM manages 0.57 miles (7.1 percent) of shoreline along this segment.

Table 59. Land Ownership within the Nestucca River Segment B corridor.

Ownership	Acres	Percentage
BLM	211.73	8.8%
Private	1,125.90	47.0%
Private Industry	205.15	8.5%
USFS	855.31	35.7%

In the 1995 Salem District Resource Management Plan and Record of Decision, the BLM found a 15.1-mile segment of the Nestucca River upstream of this segment suitable for inclusion into the National Wild and Scenic River System.

BLM lands within the corridor are classified as Adaptive Management Area with Late Successional Reserve. Visual Resource Management classifications are limited to class IV. Off-highway vehicle designation within the area is entirely "limited to existing roads and trails." There are no Areas of Critical Environmental Concern (ACEC) within the river corridor.

Private lands within the river corridor are managed primarily for commercial timber production. About a dozen rural residences and small acreage agriculture developments lie along the segment, especially along the lower end of the segment. No recreation developments, access points, or parks lie along the river. There is no community or urban development within the corridor.

The Oregon State Water Resources Department records 27 water rights and that many points of diversion or possibly more with a run date of June 1, 2013. These water rights are for a range of purposes including fisheries rearing, domestic use, and irrigation. Table 60. shows water types and uses. The type of all permits is surface water. A single water right may have multiple points of diversion.

Table 60. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Anadromous and Resident Fish Rearing	1	1	123	125
	Domestic	7	7	0.188	14.188
	Domestic Expanded	6	6	0.05	12.05
	Domestic Including Lawn and Garden	3	3	0.03	6.03
	Irrigation	8	8	0.915	16.915
	Irrigation and Domestic	1	1	0.02	2.02
	Power Development	1	1	0.67	2.67
	Totals	**27**		**124.873**	**151.873**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat. Visual resources on BLM-administered land would be enhanced.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation
WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as

stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least one location on BLM in T. 3 S., R. 8 W., Section 34. Therefore, river designation may lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow, or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If this segment of the Nestucca River were added to the National Wild and Scenic Rivers System, the U.S. Forest Service would be most suited to manage the land and resources within this boundary based on the high percentage of Forest Service lands within the corridor, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the river be designated, it is expected that the Oregon Parks and Recreation Department would likely share the cost of administration through the State Scenic Waterways program.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: If determined suitable after a joint study with the Siuslaw National Forest, the BLM may pursue land acquisition from willing sellers as funds and opportunities arise in order to manage the area better for the protection of the ORVs. Designation of the segment would enhance the BLM's ability to obtain funding for such acquisitions, and acquisitions would enhance the BLM's ability to manage the segment. At this time, BLM does not consider any land acquisitions as essential for the management of a designated river corridor, so no detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

State of Oregon: The Nestucca River has been designated by the State of Oregon as the Nestucca River Scenic Waterway (OAR 736-040-0041). It includes the segment of the Nestucca River Scenic Waterway extending from the lower end of the Alder Glen Campground to its confluence with Moon Creek (approximately RM 24.5 in Blaine); the segment of the Nestucca River Scenic Waterway extending from the downstream end of the reservoir tailrace below McGuire Dam to its confluence with Ginger Creek (approximately RM 45.5).

Within this area, the Department may permit mining operations, timber harvesting, and other landscape alteration activities only when substantially screened from view from the river by topography or vegetation. If inadequate topographic or vegetative screening exists on a site, landscape alterations may be permitted if vegetation is established which would provide substantial screening of the affected area in a reasonable time (e.g., 4–5 years). The condition of "substantial vegetative screening" shall consist of an ample density and mixture of native evergreen and deciduous vegetation to totally obscure, or allow only a highly filtered view of, the landscape alteration;

New structures and improvements shall be permitted when partially screened from view from the river by topography or vegetation. If inadequate, topography or vegetative screening exist on a site, the structure or improvement may be permitted if vegetation is established to provide partial screening of the proposed structure or improvement in a reasonable time (e.g., 4–5 years);

The condition of "partial vegetative screening" shall consist of an ample density and mixture of native evergreen and deciduous vegetation to partially obscure (at least one-half of the viewed improvement or structure), or allow a moderately filtered view (at least 50 percent filtering) of, the proposed structure or improvement;

Developments necessary for public outdoor recreation, as provided by public agencies, and resource protection or enhancement may be visible from the river but must blend into the natural landscape.

U.S. Forest Service: The Siuslaw National Forest has also determined a 52-mile segment of the Nestucca River to be eligible for possible designation into the National WSR system. Due to the high percentage of USFS ownership, a joint suitability study with the Siuslaw National Forest with the forest would be advantageous for consistency and facilitation of public comment. Should the river be designated, development of a management plan and management of the river would result in more effective cost savings, interagency collaborative efforts, and public service.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The entire river segment lies within Tillamook County. Tillamook County has designated the 8-mile segment of the Upper Nestucca River (Segment B) as:

- Scenic Waterway Overlay Zone (SWO), designated under Section 3.070.

The purpose of this zone is to facilitate implementation of the Oregon Park and Recreation Commission s management plan for the Nestucca River Scenic Waterway, and thereby to protect and preserve the natural setting and water quality of waterways possessing outstanding scenic, fish, wildlife, geological, botanical, historic, archaeological, and outdoor recreation values. The zone comprises all land within one-fourth mile of the bank of the Nestucca River from the County line downstream to its confluence with Moon Creek (approximately river mile 24.5, in Blaine).

Uses Permitted: Any development activity, mining operation, timber harvesting, or other landscape alteration activity permitted in the underlying zone may be allowed, provided the activity is approved by the Oregon Parks and Recreation Department, or otherwise complies with the Scenic Waterway Notification procedures described in OAR-736-040-0080.

Additional Zones include:
Farm Zone (F-1) 44% Tillamook County adopted Farm (F-1). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law.

In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

- Forest Zone (F) 22%- Tillamook County adopted Forest Zone (F). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's

ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

- Rural Residential (RR) 18%- The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes.
- Small Farm and Woodlot (SWF-20) 16%- Tillamook County adopted SWF-20. Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and

protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

The Nestucca River is currently designated as water quality limited (303d) for temperature, habitat modification and sedimentation. Segment B from the confluence of Blaine Creek to the confluence of Powder Creek (T4S, R8W, and S3) is listed for temperature as a limiting factor. The remainder of segment B is listed for habitat modification and sedimentation. Beneficial uses of the waters of the states are identified by the Oregon Department of Environment Quality.

A TMDL Order was issued by DEQ in 2002 for the Nestucca River. No Water Quality Restoration Plan was submitted by the BLM in response to the issuance of the TMDL Order. Currently activities within the Nestucca River corridor are covered under a Water Quality Management Plan (WQMP) issued by DEQ in 2002. The BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in his creek or river. The WQMP outlines the goals and objectives of all land owners within the sub-basin to achieve compliance with the TMDL order over the long term.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM

looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

There were no comments submitted relevant to the Nestucca River as part of this effort.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act, which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides BLM and USFS, no other agency lands lie within the river corridor. The majority of land ownership along this river consists primarily of private and private industry land holdings (55.5%).

There are substantial National Forest system lands within the river corridor. The Siuslaw National Forest determined that a 52-mile segment of the Nestucca River above the BLM segment, was eligible in its draft Forest Plan, 1990. The river flows beyond USFS boundaries and includes additional private, BLM, and State lands. A suitability study was not completed, nor is one currently planned. However, a study may be considered as part of a Forest Plan Revision later. The Forest has indicated that a BLM determination of suitability on this river would not conflict with its plans, programs, or policies. The Forest would desire to be a partner in any suitability studies and public engagement.

Both the Forest Service and Bureau of Land Management follow management prescriptions of the Northwest Forest Plan. Management actions are therefore consistent. Forest Service management practices are compatible with the protection of ORVs. Besides BLM and USFS, no other agency lands lie within the river corridor. The majority of land ownership along this river consists primarily of private and private industry land holdings (55.5%).

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Northwest Power and Conservation Council. The Council has designated this segment of the Nestucca River as "protected areas" for resident and anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent

practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

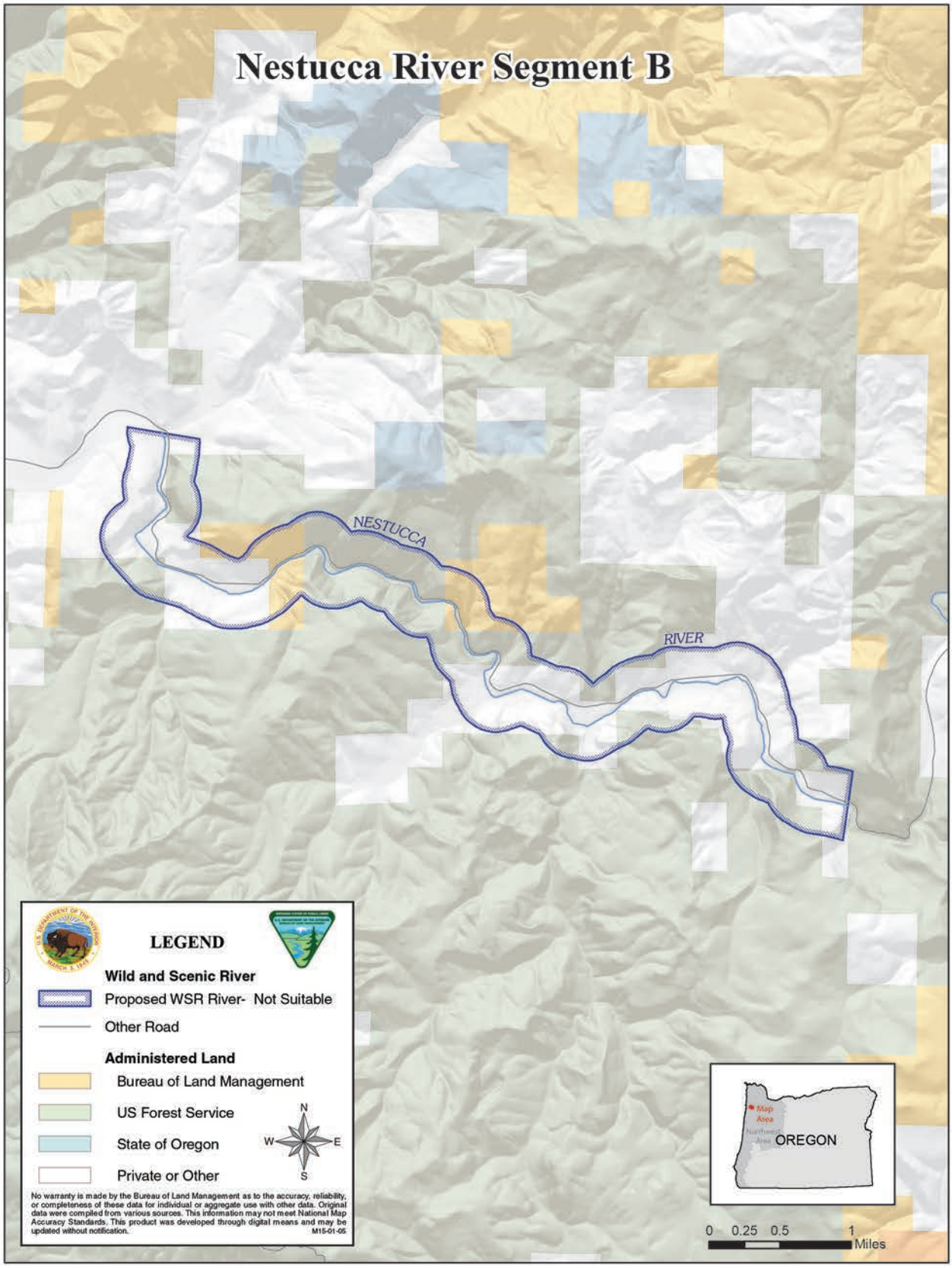
There is no designated Wild and Scenic Rivers within the Nestucca River watershed. However, the BLM has found a 15.3-mile segment of the Nestucca River upstream of this segment suitable for inclusion into the National Wild and Scenic River System.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Nestucca River Segment B Suitability Determination

Based on the information contained in this study, the BLM Salem District has determined that additional study, particularly joint study with the USFS Siuslaw National Forest, is needed to determine the suitability of this segment. Therefore, it is recommended that this segment of the Nestucca River remain eligible for inclusion into the National Wild and Scenic River System until a joint study can be completed.


Nestucca River Segment B
NESTUCCA
RIVER
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
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North Fork Clackamas River Wild and Scenic River Suitability Determination

Table 61. North Fork Clackamas River Wild and Scenic River suitability.

Segment Name:	**North Fork Clackamas River**
Segment Description:	Segment 1: Headwaters to north section line, Sec. 17, T. 4 S., R. 5 E; Segment 2: Sec. 17, T. 4 S., R. 5 E. to slackwater of the North Fork Reservoir
Total Segment Length:	14.45 miles
Length on BLM Land:	1.39 miles
Total Segment Area:	4,373.73 acres
Area on BLM Land:	389.11 acres
Preliminary Classification:	Segment 1 (First 10.8 miles): Scenic Segment 2 (Lower 2.7 miles): Recreational
Outstandingly Remarkable Values (ORVs):	Fisheries
Description of ORVs:	The eligibility determination for the North Fork Clackamas segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fisheries ORV.

North Fork Clackamas River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The North Fork Clackamas River is 14-mile long tributary of the main stem Clackamas River, located entirely in Clackamas County. The river originates at 4,000 feet above sea level on the west side of the Cascade Range, then flows westward through Mount Hood National Forest before joining the Clackamas at North Fork Reservoir,

SEGMENT 1:

Outstandingly Remarkable Values

Fisheries: River overall provides habitat of a moderate quality for fisheries. There is a waterfall below the lower end of the segment that blocks anadromous fish. The small population of resident cutthroat and rainbow trout above the falls is relatively common for rivers throughout the region.

Other River Values and Characteristics

Scenic: The scenic quality of this segment of the North Fork Clackamas River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Ecology/Botany: There is potential habitat for a sensitive plant, Coldwater corydalis (*Chorydalis aquae-gelidae)* along the river. Extensive surveys for a plant have not been done so it is currently unknown if it is present in the river corridor. Other plant communities along the river are relatively common in comparison to other rivers throughout the region. Because of the potential habitat for the sensitive plant, the river segment is considered less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Potential classification of Segment 1: Scenic – This classification is based on the fact that the segment does have road access to it making it ineligible for Wild classification. The shoreline remains largely undeveloped without substantial evidence of human activity within the corridor, thereby meeting the requirements of the Scenic classification.

SEGEMENT 2:

Outstandingly Remarkable Values

Fisheries: Throughout the entire segment, there is a presence of a late winter run coho that is a rare native stock of salmon This stock was originally found throughout the Columbia River Drainage but is now limited only to the Clackamas River Drainage. The North Fork Clackamas River retains the native run of LCR (lower Columbia River) coho salmon, which was the basis of it outstandingly remarkable value for fisheries in 1990, and which is now listed as threatened under ESA. The river also supports two other fish species now listed as threatened under the ESA: spring Chinook salmon, and winter steelhead trout. Contributing to its outstandingly remarkable value for fisheries, the North Fork Clackamas River is located above the North Fork Dam, and as such it is managed for the production and recovery of the three listed salmon and steelhead stocks (no hatchery salmon or steelhead are allowed to pass North Fork Dam). Winter Steelhead and LCR coho salmon spawn and rear on 1 mile of BLM-managed land on the Lower North Fork Clackamas River and large wood habitat improvement projects have been implemented on this reach. Additionally, no man-made structures (i.e., roads, buildings, powerlines, etc.) are visible from the North Fork Clackamas River on the BLM parcel contributing to its outstandingly remarkable value as habitat for threatened populations of salmon and steelhead.

Other River Values and Characteristics

Wildlife: This segment has relatively low wildlife values compared to other rivers in the region. Due to timber harvest activities and fires that have occurred in the past, there is little suitable habitat that meets the needs of any T&E species. There is some riparian habitat along the river, but amounts are limited. Because of the large size of the harvest unit along the river, habitat diversity for big game species is also

very limited. Based on the above factors, wildlife values are rated as less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Scenic: Low values. The area the river flows through is located on private land and has been heavily impacted by timber harvest activities throughout much of the corridor. Landscape elements are considered common for the region and opportunities for views and photo attractions is considered low. The impacts of the timber harvest have greatly reduced the overall visual quality along the river in this segment. The scenic values are therefore considered less than outstandingly remarkable.

Potential classification: Recreational. The determination is based on the high level of management activities along both sides of the river for the major part of the segment. Because of the past management activities, the segment would not qualify as Wild or Scenic, but would for Recreational due to outstanding fishery values.

Setting: North Fork Clackamas River Access and Development: Along the 14.4-mile North Fork Clackamas River, one bridge crosses the river on USFS lands (NF road 4610). The first mile of river from North Fork Reservoir is BLM managed and shows prior timber harvest activity but no recent timber harvest activities (Imagery 8/15/12). No roads parallel or fall in the river corridor for over 90% of its length. The half section of private land at the far eastern end of the river, which is surrounded by USFS lands, has been harvested with visible forest access roads. Only one other quarter section to the east another half mile has been harvested several years ago. Public access through the river corridor and to the creek is legally possible with a majority of Federal, mostly USFS. However, no roads parallel the river. The setting is semi-primitive, forest along the river. In this area, there is some opportunity for isolation from man-made sights, sounds, and management controls in a predominantly unmodified environment. There is the opportunity to have a high degree of interaction with the natural environment, to have moderate challenge and risk and to use outdoor skills. Concentration of visitors is low, but evidence of other area users is present. On private lands, access from the road to the river may not be legal. There are no communities along the river study area or in its vicinity. Few, if any developments or intrusions would be visible from the river. With exception of the one parcel of private land, no agricultural, residential, recreation or business developments are noted. The entire river segment is in a natural condition and determined to be free flowing.

Criteria 2: The status of land ownership and use in the area

Land ownership for this 14.5-mile segment is a combination of Federal, private, and State lands (Table 59). Seventy percent of the river is managed by the Mt. Hood National Forest. One BLM parcel spans the full corridor for ownership on both sides of the riverbed at the river's west end. Another sliver of BLM land lies within the corridor but does not border the riverbed. There are two total BLM parcels. BLM manages 389.11 acres (8.9 percent) within the river corridor. The BLM manages 1.39 miles (9.6 percent) of shoreline. (Table 62).

Table 62. Land Ownership within the North Fork Clackamas River corridor.

Ownership	Acres	Percentage
BLM	389.11	8.9%
Private	617.39	14.1%
Private Non-Industry	228.97	5.2%
State	5.24	0.1%
USFS	3,133.03	71.6%

The Oregon State Water Resources Department records no water rights and no points of diversion on the 14.5-mile North Fork Clackamas River from the North Fork Clackamas River to the Clackamas River with a run date of June 1.

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. However, the downstream end of the river segment is marked by the slackwater of North Fork Reservoir, a hydroelectric project operated by the Portland General Electric. Designation of the North Fork Clackamas River in its current extent may foreclose options to increase the storage capacity of the reservoir in the future.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer

of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the North Fork Clackamas River segment was added to the National Wild and Scenic Rivers System, the BLM and Mt. Hood National Forest would be most suited to manage the land and resources within this boundary, unless Congress designated another agency. Seventy percent of the land within the river corridor is managed by the Mt. Hood National Forest.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

The North Fork Clackamas River has also been designated as a State Scenic Waterway along its entire 12 mile length. (Oregon Administrative Rule (OAR) 736-040-0049 dated 3/15/1993). Should the river be designated, the BLM and state of Oregon would work together to preserve river values. The state's protection system focuses on scenic qualities on both private and public land.

The Mt. Hood National Forest has determined a 13.5 mile segment of the North Fork Clackamas River to be eligible for designation into the National WSR system. The segments identified by BLM and the USFS are basically the same stretch. The river lies primarily on USFS lands, enters private land for a mile, and then flows through a section of BLM. If determined, a joint suitability study with the forest would be advantageous for consistency and facilitation of public comment. Future development of a management plan and management of the river would result in more effective cost savings, interagency collaborative efforts and public service.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Both segments fall entirely within Clackamas County. Clackamas County has designated the North Fork Clackamas River as Timber District (99%) and Ag/Forest District (1%). Percentages are approximate. The purpose of the timber district is to implement the goals and policies of the Comprehensive Plan for Forest areas. An extensive list of authorized uses, standards, and prohibitions is at http://www.clackamas.us/planning/zdo.html. Descriptions include farm and forest, natural resource, residential, commercial, mineral aggregate, oil and gas, transportation, utility, and solid waste disposal, parks and recreation.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel

Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The single comment associated with the North Fork Clackamas River was ambiguous in its support or opposition to designation.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The North Fork Clackamas River has also been designated as a State Scenic Waterway along its entire 12 mile length. WSR designation would be wholly consistent with the state's existing protections.

The Mt. Hood National Forest determined that the North Fork Clackamas River is eligible in its Final EIS, Oct. 1990. The USFS 13.5 mile segment lies upstream of 14.4 mile BLM eligible river segment. The eligible segments for both agencies identified the same stretch. Both agencies list Fisheries as the Outstandingly Remarkable Value. Both agencies have categorized the first 10.8 miles as Scenic and the lower 2.7 mile section as Recreational. The North Fork Clackamas River flows beyond USFS boundaries and includes private and BLM lands.

The Forest has indicated that a BLM determination of suitability on this river would not conflict with its plans, programs or policies. The Forest would be a partner and should most likely take the lead in any suitability studies and public engagement.

Both the Forest Service and Bureau of Land Management follow management prescriptions of the Northwest Forest Plan.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants.

Waters that need this additional help are referred to as "water quality limited" These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated a 0.2-mile segment of the North Fork Clackamas River as a "protected area" for anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

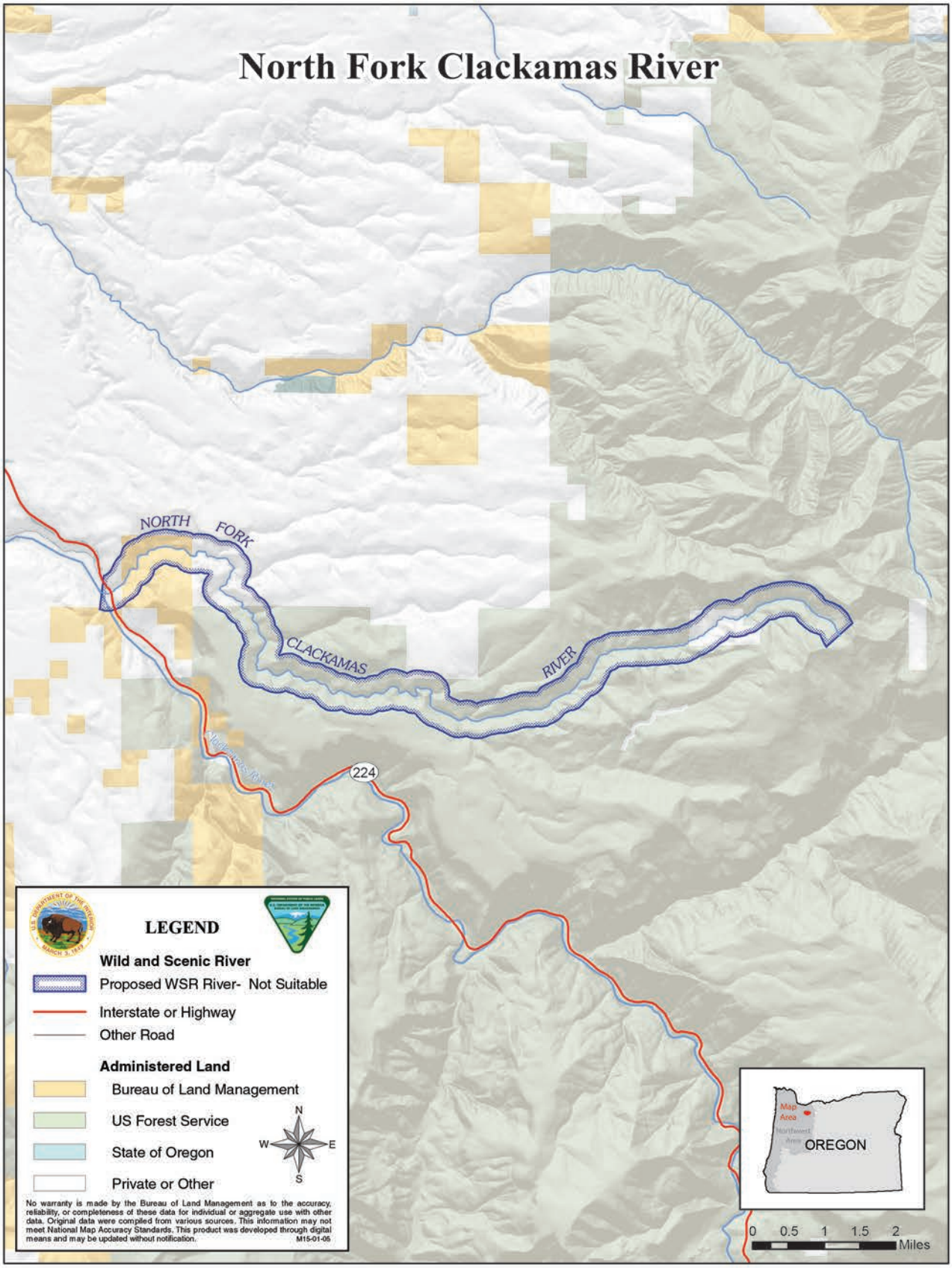
The are no designated WSR segments in the North Clackamas River Watershed, although there are a number of designated segments elsewhere in the larger Clackamas River watershed. Many of these segments (including the South Fork Clackamas, Roaring and Collowash Rivers) were added to the national WSR system in through legislation in 2009. The North Fork Clackamas was not included in this legislation.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

North Fork Clackamas River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Clackamas River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. It has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality, and outstandingly remarkable recreation values.


North Fork Clackamas River
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Proposed WSR River- Not Suitable
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North Fork Siletz River Wild and Scenic River Suitability Determination

Table 63. North Fork Siletz Wild and Scenic River Suitability Report

Segment Name:	**North Fork Siletz River**
Segment Description:	Headwaters to confluence with South Fork Siletz River
Total Segment Length:	10.60 miles
Length on BLM Land:	3.50 miles
Total Segment Area:	3,047.44 acres
Area on BLM Land:	990.02 acres
Preliminary Classification:	Scenic
Outstandingly Remarkable Values (ORVs):	Fisheries, Wildlife, Ecological
Description of ORVs:	The eligibility determination for the North Fork Siletz River segment was first made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes an updated description of the Fish and Wildlife, and Other ORVs.

North Fork Siletz River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The North Fork Siletz River originates in the central Oregon Coast Range of Lincoln and Polk Counties, approximately 10 miles west of Falls City. The river flows nearly 11 miles before joining the main stem Siletz River. The Siletz takes a meandering course through coastal mountains before flowing into the Pacific Ocean south of Lincoln City. Major tributaries of the North Fork Siletz River include Carter, Warnicke and Boulder Creeks.

Outstandingly Remarkable Values

Fish: Oregon Coast steelhead, a Bureau Sensitive Species, spawns, rears, and migrates through this segment of the North Fork Siletz River. The North Fork Siletz River supports a native run of summer steelhead, utilizing the segment for spawning and rearing. This is the only known native run of summer steelhead on the northern Oregon coast between the Umpqua River and Columbia River. Spring Chinook are present in the North Fork Siletz River in this segment as well as cutthroat trout and Pacific Lamprey. Oregon Coast coho salmon, a “Threatened” species under the Endangered Species Act, are found in the Siletz River but do not pass the Siletz falls several miles downstream of the North Fork, and are not present in this segment. Habitat conditions in this segment would be considered high quality for salmonid production. The presence of Bureau sensitive species, the rarity of summer steelhead, and the diversity of

salmonid species in the North Fork Siletz River combined with high quality habitat indicate fisheries is likely to remain a outstandingly remarkable value.

The Siletz River system is one of the most productive anadromous fisheries in Oregon. However, many of the anadromous salmonid fish stocks have declined throughout the Coast Range including those in the Siletz system. Many conditions have contributed to this decline, including conditions outside of this watershed or beyond the control of the Bureau of Land Management. The Upper Siletz watershed includes a summer steelhead run, which is the only native run in the Oregon Coast Range north of the Umpqua River. Siletz Falls is a major factor affecting fish resources in the watershed. This falls occurs on the main Siletz River to the west of the Upper Siletz watershed. Only summer steelhead and fall/spring Chinook are currently allowed to pass the falls.

Wildlife: This river segment provides an important corridor for marbled murrelets (a Federally-threatened species) to reach the Valley of the Giants, the highest use murrelet nesting area in the northern Oregon Coast Range. A known northern spotted owl (Federally-threatened) home range is located within this reach. Bald eagles routinely hunt along this river segment, in large part because of the many different runs of salmon and steelhead in this river. A locally important elk population inhabits this river segment and this is an Oregon Department of Fish and Wildlife emphasis area for this species. The overall wildlife value of this river segment is outstandingly remarkable.

Ecology/Botany: The ecological value of the river corridor is rated as high because of the presence of the river dependent fisheries and wildlife relevant and important values within the Valley of the Giants Area of Critical Environmental Concern. This is the largest contiguous stand of ancient old growth forest in the northern Oregon Coast Range. The age of the forest, duff and huge size of the conifers are unique to this area. The area provides habitat for a variety of botanical species (plant, bryophyte, and lichen) of concern and is one of a few locations for the Bureau sensitive moss species, *Schistostega pennata*. However, these botanical values of significance in the river corridor are not considered outstandingly remarkable because they are not associated with the river or its riparian zone.

Other River Values and Characteristics

Scenic: The scenic quality of the North Fork Siletz River has received a “B” rating as defined in the Visual Resource Handbook, 11-8410-1. The scenic quality of this river corridor is therefore judged less than outstandingly remarkable.

Recreation: No individual recreational activity or combination of activities is so unique or of such high quality that visitors would be expected to travel from outside the North Coast region to participate. The North Fork Siletz River is currently closed to recreational fishing. The Valley of the Giants, a well-known grove of intact old-growth forest is located within the river segment and draws visitors from throughout the region for hiking and sightseeing. A one-mile-long trail crosses the NF Siletz River, and meanders through a 400-500 year-old stand of Douglas-fir and western hemlock trees. The trailhead is located near the confluence of Warnick Creek and the NF Siletz River However, public access to this site and the remainder of river corridor is not secured through private lands. The overall recreational value is therefore judged less than outstandingly remarkable.

River Corridor Setting - North Fork Siletz Access and Development: Along the 10.6-mile North Fork Siletz River, at least 5 bridges or creek crossings provide access over the river. Public access through the river corridor and to the river is available on forest roads, which parallel the river for most of its length. On private industrial forest lands, access from the road to the river may not be legal. The setting is primarily Roaded Natural (Recreation Opportunity spectrum), The area is characterized by a natural appearing environment with moderate evidence of human activity, but may include forest management practices. Interaction between users is low to moderate. Resource modification and utilization practices are evident but harmonious with the natural environment. Conventional motor vehicle use is common on paved, graveled, and unsurfaced roads. A meandering network of graveled roads wind throughout the adjacent hillsides, however do not always parallel the river at any close proximity. Varying stages of timber harvest can be seen from the river. The riparian zone is in a natural for a short distance from each side of the river. There are no communities along the study area or in its vicinity. The river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 10.6-mile segment is a combination of Federal (BLM), and private lands (Table 64). Two BLM parcels span the riverbed for ownership on both sides. BLM manages 990.02 acres (32.5 percent) within the river corridor. The BLM manages 3.50 miles (33 percent) of shoreline along this segment. There are no proposals for land exchanges or purchases within this river corridor.

Table 64. Land Ownership within the North Fork Siletz River corridor.

Ownership	Acres	Percentage
BLM	990	32.5%
Private	2,057	67.5%

A portion of BLM-administered land is within the 51-acre Valley of the Giants Area of Critical Environmental Concern/Outstanding Natural Area. This area also contains a short one-mile recreational hiking trail.

The Salem District BLM has proposed an expansion of this ACEC that included additional lands within the corridor. Currently, BLM lands within the corridor are classified as either late successional reserve or adaptive management area. Visual Resource Management classifications include class I, III and IV. Off-highway vehicle designation within the area is primarily “limited,” with a lower amounts of “closed” and “open” classifications.

Private lands within the river corridor are managed primarily for commercial timber production. There is no agricultural or residential development within the river corridor.

The Oregon State Water Resources Department records 2 water rights and 2 points of diversion on the 10.6-mile North Fork Siletz River segment from its headwaters to confluence with South Fork Siletz River. These water rights are primarily for the support of aquatic life, particularly anadromous and resident fish species. The river segment does not contain diversions for irrigating private or other lands in accordance with state water right laws. Table 65 shows water types and uses.

Table 65. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Anadromous and Resident Fish Rearing	1	1		
	Supporting Aquatic Life and Recreation	1	1	150.0	
			Totals	**150.0**	

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. This segment is within the North Fork Siletz Special Recreation Management Area (SRMA), designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment, including hiking and nature study.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least three locations, including a bridge on BLM-administered land in T. 7 S., R. 8 W., Section 32. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the North Fork Siletz River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study. There is likely to be some increased cost of administering the area if designated.

Land Acquisition: The BLM may pursue land acquisition from willing sellers as funds and opportunities arise in order to better manage the area for the protection of the ORVs. Designation of the segment would enhance the BLM's ability to obtain funding for such acquisitions, and acquisitions would enhance the BLM's ability to manage the segment. At this time, BLM does not consider any land acquisitions as essential for the management of a designated river corridor, so no detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The North Fork Siletz River lies in two counties: Polk (67%), and Lincoln (33%) Local zoning within both of these counties is entirely Timber Conservation, which is zoned for the purposes outlined below. Polk County has designated land along the North Fork Siletz as Timber Conservation (100%).
The Timber Conservation (TC) Zoning District is intended to:

- Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses;
- Conserve and protect watersheds, soil, fish and wildlife habitats and other such uses associated with forests;
- Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management;
- Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and as such, are beneficial to the economy of the County and to the welfare of its people.

Lincoln County has designated lands along the North Fork Siletz as Timber Conservation (100%).

Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

The North Fork of the Siletz is not currently listed by DEQ as a 303d impaired water quality for temperature, turbidity, or sedimentation. It is currently being analyzed under the Mid-coast implementation ready TMDL. It most likely will be included in the TMDL order as contributing tributary to the Siletz River that is on the 303d list as an impaired water quality body for temperature and sedimentation/turbidity.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

The BLM did not receive any comments specific to the North Fork Siletz river segment. Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The State of Oregon via Oregon DEQ has indicated that it supports the Wild and Scenic River designation for those reaches that are included in a TMDL order. The TMDL Order for this river segment is scheduled for issuance during 2015-2016.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

Besides BLM, no other local, State or Federal agency lands lie within the river corridor. The majority of land ownership along this river consists of private land holdings (67.5%). The consistency of private land uses with WSR designation is discussed in question #3.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Northwest Power and Conservation Council. The Council has designated the North Fork Siletz River as "protected areas" for resident and anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau

of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

There is no designated Wild and Scenic Rivers within the North Fork Siletz River watershed nor have there been any legislative proposals for additional Federal protection of the Siletz River or its tributaries.

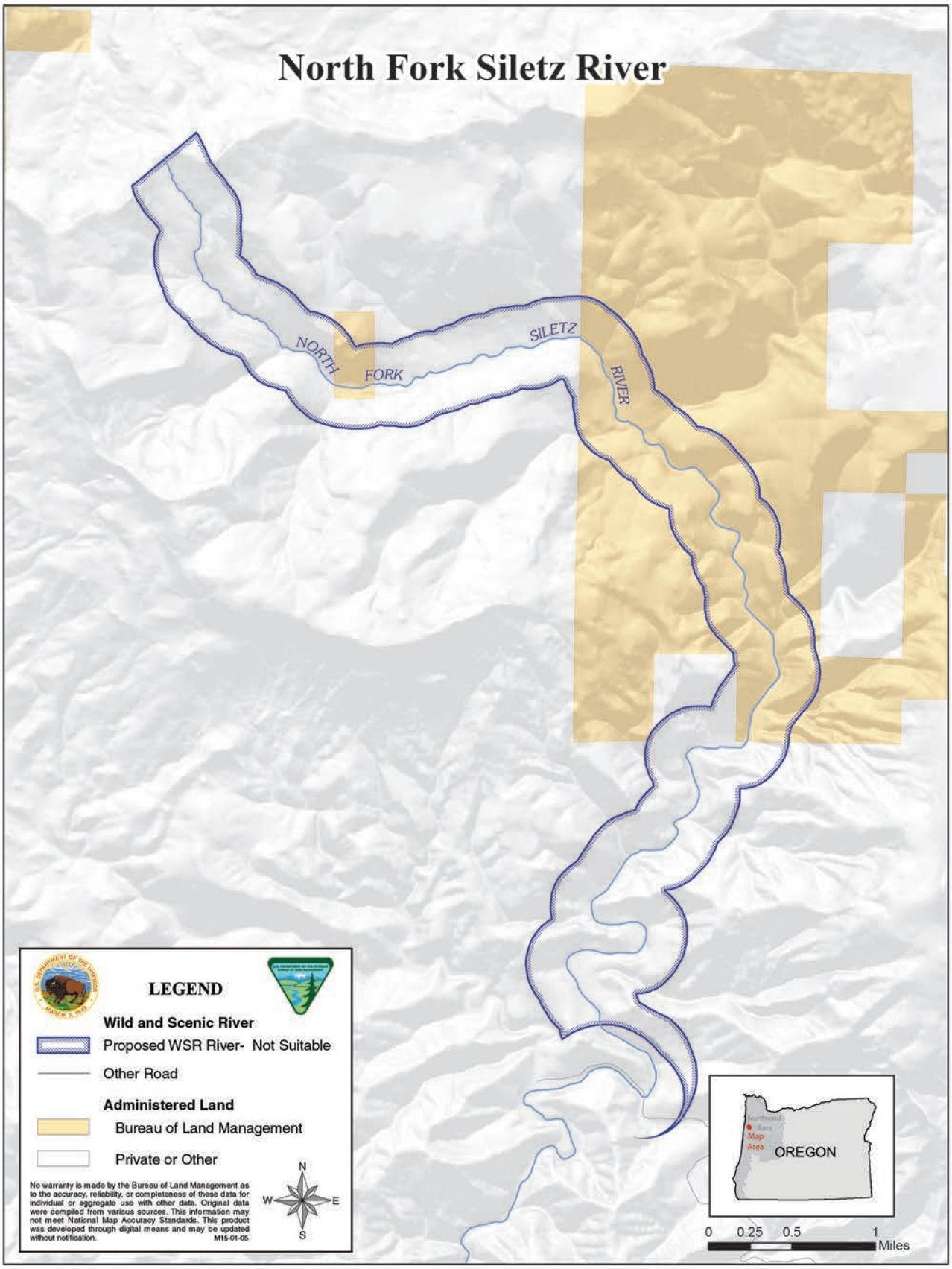
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

North Fork Siletz River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the North Fork Siletz River to be **suitable for inclusion** into the National Wild and Scenic Rivers System. The river's free flowing condition, water quality and outstandingly remarkable fisheries and wildlife values would be protected through designation. It has been determined that in conjunction with administrative measures (such as designation of the Valley of the Giants Area of Critical Environmental Concern) WSR designation is the best method for protection of the river corridor.

This finding of Suitability includes an adjusted River termini. The previous segment, upon which eligibility was determined, was the Headwaters of the North Fork Siletz to the confluence with the South Fork Siletz River. The segment that the BLM determined suitable is from the western boundary of BLM administered lands in T. 7 S., R. 9 W., Section 23 to the confluence of the South Fork Siletz River. By determining that a portion of the segment is suitable, BLM minimizes potential conflicts between private landowners and the protective provisions of the Wild and Scenic Rivers Act. Specifically, the need to analyze projects proposed on private lands for potential impacts to Wild and Scenic River values would be minimized. Such consultation occurs when a private landowner seeks a Federal permit or funding from other Federal agencies, such as Army Corps of Engineers. The need for consultation would be limited to projects on private land where the effects of the proposed project stretch to upstream or downstream locations on Federal lands. Projects with impacts limited strictly to private lands would not require detailed analysis for impacts to Wild and Scenic River values. Projects on private lands that do not require a Federal permit or Federal agency funding would be exempt from any consultation requirements.


North Fork Siletz River
NORTH
FORK
SILETZ
RIVER
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Other Road
Administered Land
Bureau of Land Management
Private or Other
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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North Fork Trask River Wild and Scenic River Suitability Determination

Table 66. North Fork Trask River Wild and Scenic River suitability.

Segment Name:	North Fork Trask River
Segment Description:	Confluence of North Fork of the North Fork Trask River and Middle Fork of the North Fork Trask River to confluence with Trask River
Total Segment Length:	11.90 miles
Length on BLM Land:	3.0 miles
Total Segment Area:	3,288.33 acres
Area on BLM Land:	777.55 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish, Recreation
Description of ORVs:	The eligibility determination for the North Fork Trask River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Scenic, Fish & Wildlife ORVs.

North Fork Trask River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The North Fork Trask River is a stream located 11 miles from Tillamook, in Tillamook County, OR. It drains a mountainous timber-producing area of the Northern Oregon Coast Range west of Portland into Tillamook Bay and the Pacific Ocean.

Outstandingly Remarkable Values

Recreation: The North Fork Trask river provides opportunities for sport fishing, paddling and river based recreation use.

Fish: The status of Oregon Coast coho Salmon is “Threatened” under the Endangered Species Act, in addition steelhead are a Bureau Sensitive Species, both species spawn and rear in this segment of the Trask River. Both a fall and spring run of Chinook are present in the Trask River in this segment.

Other River Values and Characteristics

Wildlife: The North Fork Trask supports elk and black tailed deer production and habitat within the river corridor. The river corridor contains important populations of indigenous wildlife species. No threatened or endangered wildlife species are known to use or inhabit this river corridor.. Data for this analysis was

obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Scenic: The scenic quality of the North Fork Trask River corridor has received an "A" rating as defined in the Visual Resources Handbook 8410-1. The scenic value of this stream corridor is judged outstandingly remarkable.

Botany: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

River Access and Development: Along the 11-mile North Fork Trask River, two bridges cross over the river. The river corridor is legally accessible to the public because of a majority of state and Federal ownership. The primary use of the landscape is timber management; however, fewer harvests are obvious, particularly compared to regional private timber lands. The setting is Roaded Natural with fewer graveled roads than private industry on adjacent hillsides. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. A graveled road parallels the river corridor from one end to the other. Varying stages of timber harvest can be seen over the adjacent hillsides. The riparian zone is in a natural state for a short distance on each side of the river. On Tillamook State Forest lands, the adjacent hillsides blend into the river's riparian area. The Trask River Co. Park lies at the confluence with the South Fork: There are no communities along the corridor. No agricultural, residential, recreation or business developments are noted. The entire river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

This segment lies primarily within the Tillamook State Forest area. Land ownership for this 11.9-mile segment is a combination of Federal and State lands (Table 67). Two BLM parcels cross the full river corridor for ownership on both sides of the riverbed. Three more parcels lie within the corridor but do not border the riverbed. There are five total BLM parcels. BLM manages 777.55 acres (23.6 percent) within the river corridor. The BLM manages 3.0 miles (25.2 percent) of shoreline along this segment.

Table 67. Land Ownership within the North Fork Trask River corridor.

Ownership	Acres	Percentage
BLM	777.55	23.6%
Tillamook State Forest	2,510.78	76.4

The vast majority of the Trask watershed is utilized for forest use (91%), with agricultural use as the next largest zoning category at 6%. The remainder of the watershed is a combination of urban use (1%), rural residential use (1%), and other miscellaneous uses (1%).

The Oregon State Water Resources Department records 4 water rights and 4 points of diversion on the 12-mile North Fork Trask River segment from N FK Trask River to the Trask River. Table 68 shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 68. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Anadromous and Resident Fish Rearing	1	1	112.0	0
	Domestic	1	1	0.01	0
	Supporting Aquatic Life	2	2	100.0	0
			Totals	**212.01**	**0**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least three locations in T. 1 S., R. 7 W. and T. 1 S., R. 6 W.. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the North Fork Trask River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the North Fork Trask be designated, the BLM would likely approach the Oregon Department of Forestry for assistance in managing river-related values. ODF manages over 70% of lands within the river corridor.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the State of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

Close coordination with the Oregon Department of Forestry, Tillamook State Forest would be required for preservation and administration of the river.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The North Fork Trask River lies in two counties: Tillamook (99%) and Washington (1%).
In Tillamook County, all lands within the ½-mile corridor are Forest Zone (F) 100%. No purpose is identified on the County web pages for this zone. In June, Tillamook County declared that Resource Zone, Forest (F) does not conform to current state law. Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.

In Washington County, an estimated 200 acres at the eastern end of the North Fork Trask River is designated as Exclusive Forest and Conservation (EFC 100%). It lies within the Tillamook State Forest. Its purpose is to provide for forest uses and the continued use of lands for renewable forest resource production, retention of water resources, recreation, and other related or compatible uses.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter

340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with North Fork Trask River were generally supportive. Four comments were submitted specific to this river segment. Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry, Tillamook State Forest manages 76.4% of the eligible river segment. Like all State Forests, ODF is charged by the Oregon Administrative Rules"

The Oregon Department of Forestry (ODF) manages 2,511 acres (76.4%) within the North Fork Trask River corridor in the Tillamook State Forest. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council: The Council has designated this segment as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

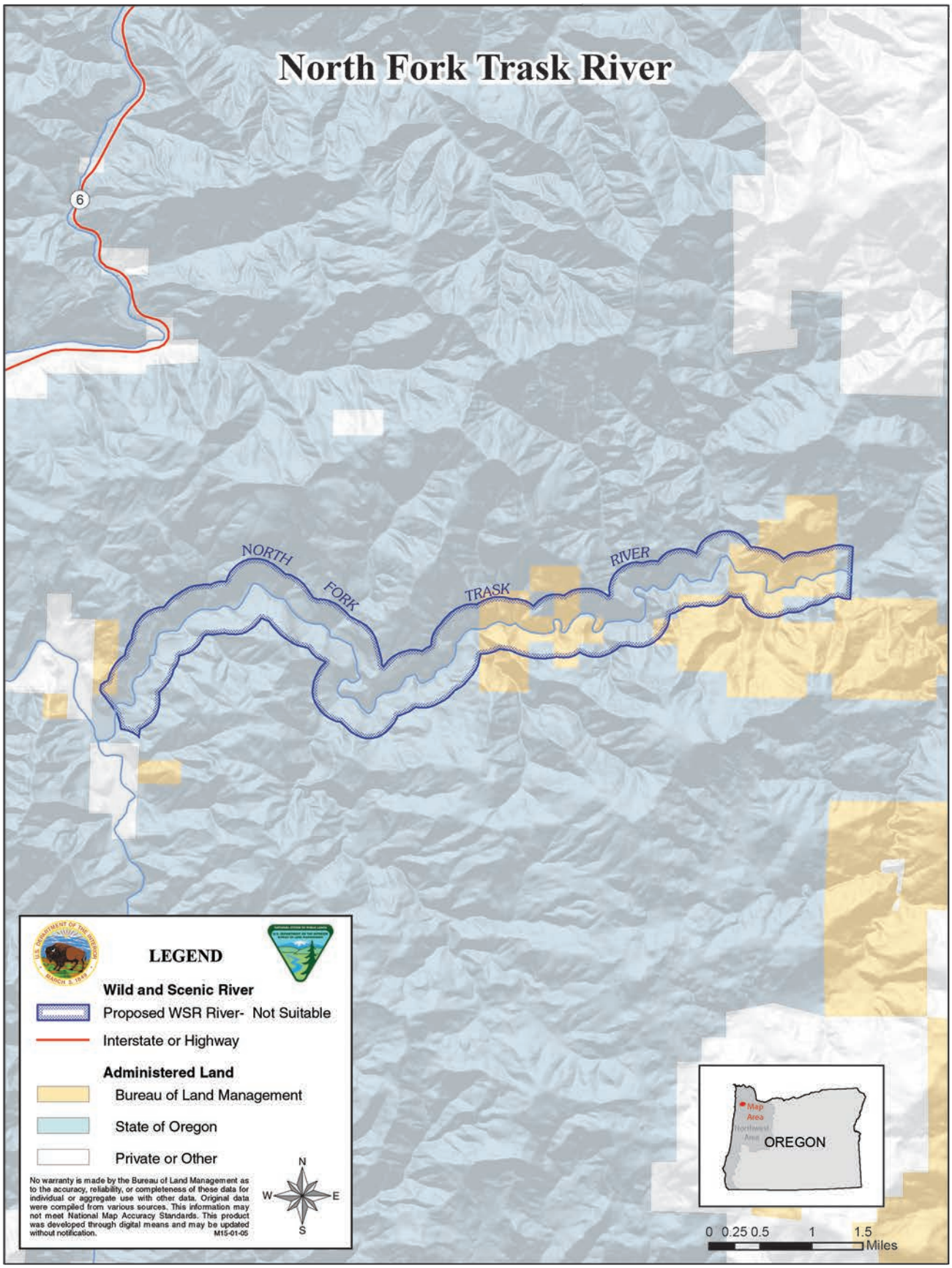
There are no designated Wild and Scenic Rivers within the Trask River watershed nor have there been any legislative proposals for additional Federal protection of the Trask River or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

North Fork Trask River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the North Fork Trask River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality and outstandingly remarkable recreation values.


North Fork Trask River
6
NORTH
FORK
TRASK
RIVER
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Administered Land
Bureau of Land Management
State of Oregon
Private or Other
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05
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North Santiam River Wild and Scenic River Suitability Determination

Table 69. North Santiam River Wild and Scenic River suitability.

Segment Name:	**North Santiam River, Segment A, Segment B**
Segment Description:	**Segment A**: Big Cliff Dam to Mehema **Segment B:** Mehema to confluence with South Santiam River
Total Segment Length:	45.96 miles
Length on BLM Land:	1.24 miles
Total Segment Area:	14,441.16 acres
Area on BLM Land:	375.67 acres
Preliminary Classification:	**Segment A:** Scenic **Segment B:** Recreational
Outstandingly Remarkable Values (ORVs):	**Segment A:** Scenic, Recreational, Fish and Wildlife **Segment B:** Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for the North Santiam River segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the ORVs.

North Santiam River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The North Santiam River is a 92-mile tributary of the Santiam River that drains a large portion of the central Cascade Range east of Salem in Marion and Linn Counties. The river is a source of drinking water for ten communities, as well as a source of water for irrigation and industrial uses. The river rises northwest of Three Fingered Jack in the Willamette National Forest before flowing north into Detroit Lake. From the reservoir, the river flows west past numerous small communities before emerging into the Willamette Valley near Stayton.

Outstandingly Remarkable Values Segment A

Scenery - The scenic quality of this segment of the North Santiam River corridor has received an “A” rating as defined in the Visual Resources Handbook, 11-9410-1. The scenic value of this river corridor is therefore judged outstandingly remarkable.

Recreation - The recreational values of Segment A of the North Santiam River are described in several regional inventories and recreation guidebooks. The specific recreational activities that occur on this segment include canoeing, rafting, kayaking, drift boating, salmon/steelhead fishing, and trout fishing.

The activities mentioned above are of such exceptional quality that visitors from outside the Willamette Valley region, as well as many local residents, are willing to travel to the river to participate, and make this one of the most intensively used recreational rivers within the region. Additionally, several commercial outfitter guides for whitewater boating and fishing are common on North Santiam River to support the local economy. Several developed river access points are present within these two segments including BLM's Fishermen's Bend Recreation Site. Based on the draw for out of region visitors, the determination has been made that the overall recreational value of this river is indeed outstandingly remarkable.

Fish - The fisheries resources of both segments of the North Santiam River are outstandingly remarkable. Production of spring Chinook salmon (predominantly hatchery produced), winter steelhead, summer steelhead (hatchery run to mitigate for dam/reservoir impacts), and rainbow trout is outstanding relative to other rivers in the region. Additionally, UWR (Upper Willamette River) spring Chinook salmon, UWR winter steelhead, and the Oregon chub are now listed as threatened under the ESA. The North Santiam River produces the greatest proportion of UWR winter steelhead in the region, and the North Santiam is the only river in the UWR basin, other than the McKenzie River, which still produces significant numbers of wild spring Chinook salmon. The condition of fisheries habitat is generally good.

Wildlife - The wildlife value of this segment of river corridor is fair at best for any wildlife species. There is a high degree of habitat disturbance caused by numerous clearcuts in the corridor and state highway running parallel to the river, and within the corridor. These disturbances equate to a severe loss of prime habitat and as a result, the production of elk, deer, and other wildlife in the area is rated as poor to fair. In addition, no threatened or endangered wildlife species are known to inhabit this segment of river corridor. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Outstandingly Remarkable Values Segment B

Recreation - The recreational values on segment B of the North Santiam River are described in several regional inventories and recreation guidebooks. The specific recreational activities that occur on this segment include canoeing, rafting, kayaking, drift boating, salmon/steelhead fishing, and trout fishing.

The activities mentioned above are of such exceptional quality that visitors from outside the Willamette Valley region, as well as many local residents, are willing to travel to the river to participate, and make this one of the most intensively used recreational rivers within the region. Additionally, several commercial outfitter guides for whitewater boating and fishing are common on North Santiam River to support the local economy. Several developed river access points are present within these two segments including BLM's Fishermen's Bend Recreation Site. Based on the draw for out of region visitors, the determination has been made that the overall recreational value of this river is indeed outstandingly remarkable.

Fish - The fisheries resources of both segments of the North Santiam River are outstandingly remarkable. Production of spring Chinook salmon (predominantly hatchery produced), winter steelhead, summer

steelhead (hatchery run to mitigate for dam/reservoir impacts), and rainbow trout is outstanding relative to other rivers in the region. Additionally, UWR (Upper Willamette River) spring Chinook salmon, UWR winter steelhead, and the Oregon chub are now listed as threatened under the ESA. The North Santiam River produces the greatest proportion of UWR winter steelhead in the region, and the North Santiam is the only river in the UWR basin, other than the McKenzie River, which still produces significant numbers of wild spring Chinook salmon. The condition of fisheries habitat is generally good.

The North Santiam River and associated floodplain in segment B support a large proportion of the existing populations of Oregon chub. The condition of fisheries habitat is generally good, and Segment B contains one of the best remaining representations of an unconfined (non-diked), multi-thread, large river channel with a cottonwood-willow floodplain in the entire UWR basin.

Wildlife - The wildlife value of this segment of river corridor is fair overall. The riparian habitat within the three small and widely scattered parcels of BLM-administered land is in excellent condition and production of wildlife within this habitat is high. Habitat in all other areas within the river corridor is fair at best for all wildlife species due to timber harvest activity, heavy agricultural use, scattered homes and communities and a highway adjacent to the river. Production of all wildlife species is fair within the river corridor, and no threatened or endangered wildlife species are known to inhabit the corridor. The wildlife resource of this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Other River Values and Characteristics

Scenery - The scenic quality of both segments of the North Santiam River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this segment of river is therefore judged less than outstandingly remarkable.

Botany: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Cultural - One cultural site is currently recorded within the river corridor of this segment. A National Register of Historic Places eligibility has not been completed on the site at this time, however it does not appear to be rare, one-of-a-kind or unusual and so is not outstandingly remarkable. The overall cultural value is therefore rated as less than outstanding.

Setting: North Santiam River Access and Development : Along the 46 mile North Santiam River, six major transportation bridges cross the river. Bridges may not span the entire river and may have support piers within the river channel. There are several ponds immediately adjacent to the river in several locations. Due to the meandering flow of the river, small natural islands lie along the river's pathway. Public access within the study corridor is provided by a number of State and County roads, which parallel the river. Even though the background hills to the east of Lyons are managed for timber production, the actual corridor from end to end lies primarily in a rural setting. This area is characterized by a

substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. Major access roads include Highways 226 and 22. Santiam Highway 22 parallels the river corridor from east to west between Lyons and Big Cliff Dam. Access to a majority of the actual river bed is restricted by private land ownership. A strip of riparian vegetation provides a natural setting. Communities along the study area include Jefferson, Marion, Lyons, Mehama, Mill City, and Gales. Albany and Scio are located within 3 to 4 miles from the river.

A number or agricultural, transportation, private residences, and business developments lie within the river corridor and can be seen from the river. Industrial developments within the 1/2 mile wide corridor include an airfield, water treatment facility, gravel pits, and numerous other businesses. Through these areas, the river corridor and adjacent lands have been cleared and developed. Parks include Pack Saddle County Park, North Santiam State Park, Fisermens Bend Recreation Site, and numerous boat ramps and dispersed day-use sites. A major power line crosses the river twice with clearings for the two lines and multiple wires that traverse the river. The river corridor is alternating rural interface and urban settings. In the urban setting, the area is characterized by a substantially urbanized environment, although the background may have natural-appealing elements. High levels of human activity and concentrated development, including recreation opportunities are prevalent. Developed sites, roads and other recreation opportunities are designed for high use.

Within segment B near the community of Stayton, there are two small spillway structures across the river. Thus, the river segment may not be considered free flowing; it also has side channel alterations and piers within the river channel for bridge support.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 45.96-mile segment is a combination of Federal (BLM, Corp of Engineers), private, county, and State lands (Table 70). Four BLM parcels span the riverbed for ownership on both sides, but none of this span the entire ½ mile width of the corridor. Three additional parcels lie within the corridor but do not border the riverbed. There are seven total BLM parcels. BLM manages 375.67 acres (2.6 percent) within the river corridor. The BLM manages 1.24 miles (2.7 percent) of shoreline along this segment.

Table 70. Land Ownership within the North Santiam River corridor.

Ownership	Acres	Percentage
BLM	375.67	2.6%
Corp of Engineers	101.65	0.7%
Local Government	635.15	4.4%
Private	433.15	3.0%
Private Industry	1,330.31	9.2%
Private Non-Industry	10,929.93	75.7%
State	32.60	0.2%
State Dept. of Forestry	332.80	2.3%

Ownership	Acres	Percentage
State Dept. of Parks and Recreation	96.95	0.07%
State Dept. of Fish and Wildlife	172.94	1.2%

The Oregon State Water Resources Department records 454 water rights and 598 points of diversion on the 46-mile North Santiam River from the North Santiam River to the Santiam River. Table 71. below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 71. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Fire Protection	1	1	0.02	
	Greenhouse	1	2	0.4456	
	Industrial/Manufacturing Uses	7	7	4.2068	
	Irrigation	137	161	70.3105	
	Municipal Uses	9	10	59.9891	
	Nursery Uses	2	2	0.40998	
	Primary and Supplemental Irrigation	1	1	0.01	
	Storage	1	1		2.25
	Temperature Control	2	2	0.315	
Storage	Aesthetics	1	1		0.125
	Fire Protection	6	8		9.751
	Fish and Wildlife	3	3		6.1
	Fish Culture	9	13		356.656
	Industrial/Manufacturing Uses	4	4		235.34
	Irrigation	1	1		0.125
	Livestock	4	4		7.775
	Recreation	3	3		6.875
	Storage	6	8		36.806
	Wildlife	4	4		31.155
Surface Water	Aesthetics	2	2	80.0	
	Agriculture Uses	1	1	0.3	
	Aquaculture	1	1	0.7	
	Commercial Uses	1	1	20.0	
	Domestic	13	16	2.745	
	Domestic and Livestock	10	10	2.0367	
	Domestic Expanded	2	3	0.0145	
	Domestic Including Lawn and Garden	8	11	0.095	
	Fire Protection	4	9	3.01	
	Fish Culture	7	11	116.186	
	Industrial/Manufacturing Uses	21	25	402.5148	
	Irrigation	157	195	334.5866	263.4

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
	Irrigation and Domestic	1	1	0.13	
	Irrigation, Livestock and Domestic	4	4	0.035	
	Livestock	13	14	7.43	
	Log Deck Sprinkling	1	4	1.6	
	Municipal Uses	21	30	273.87	
	Nursery Uses	1	1	1.38	
	Pond Maintenance	3	4	1.618	
	Power Development	5	5	1,101.0	
	Primary and Supplemental Irrigation	3	3	7.8	
	Recreation	2	2	22.02	
	Supporting Aquatic Life	1	1	345.0	
	Wildlife	2	2	0.215	
			Totals	**2,859.99358**	**956.358**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. This segment includes the Fishermen's Bend Special Recreation Management Area (SRMA), designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment, including hiking and nature study. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer

of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the North Santiam River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

The Willamette National Forest has also determined a segment of the North Santiam River upstream of Detroit Lake to be eligible for possible designation into the National WSR system. A joint suitability study with the forest would be advantageous for consistency and facilitation of public comment. Future development of a management plan and management of the river would result in more effective cost savings, public service and interagency collaborative efforts.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The North Santiam River lies in Linn County (50% south of the river) and Marion County (50% north of the river). Linn County has zoned lands on the south side of the river:

- Farm Forest (33%)
- Exclusive Farm Use (32%)
- Forest Conservation and Management (16%)
- Rural Residential (7%)
- Urban Growth Area (near cities) (5%)
- City Urban (4%)
- Rural Center (2%)
- Aggregate Resource (1%)

The first three districts above are "Rural Resource Zones" (81%) The "Rural Development Zones" include Rural Residential, Rural Center, and Urban Development (10%). The "Urban Growth Area Zone" includes all other Urban Growth and City categories (9%).

The Urban, Rural Center, Rural Residential, and Urban Growth areas are near the communities of Gates, Mill City, and Lyons. Exclusive Farm use is zoned heavily on the west end of the river while Forest Conservation is zoned near Big Cliff Dam to the east.

The purpose of the Farm/Forest (F/F) zoning district is:

a) To preserve land suitable for agricultural and forest uses;
b) To allow the establishment of uses consistent with the predominant use of land for agricultural
c) and forest use;
d) To allow for public and private outdoor recreational uses; and
e) To provide for the protection of open space, fish and wildlife habitat, watersheds, scenic resources, air, water, and land resource quality and to permit the location of dwellings when applicable criteria are met.

The purpose of the Exclusive Farm Use (EFU) zoning district is:

a) To preserve land suitable for agricultural production, whether in large or small blocks, for agricultural use as declared in the Oregon Agricultural Land Use Policy (ORS 215.243);
b) To provide for farm taxation consistent with provisions of ORS Chapter 308;
c) To allow only those uses consistent with agricultural practices as provided in ORS Chapter 215; to allow for public and private outdoor recreational uses; and
d) To provide for the protection of open space, fish and wildlife habitat, watersheds, scenic resources, and air, water and land resource quality.

Marion County has zoned the north side of the river as:

- Exclusive Farm Use (52%)
- Timber Conservation (30%)

- Public (Jefferson, Stayton 2%)
- Urban Transition (Jefferson, Stayton 2%)
- City Limits (Jefferson, Stayton, Mill City 5%)
- Industrial (1%)
- Special Agriculture (2%)
- Acreage Residential (4%)
- Commercial (2%)

All zoning is on the north side of the North Santiam River. The eastern end is dominated by Timber Conservation zoning while the western end is Exclusive Farm Use. Cities along the river incorporate the remainder of the commercial, residential and city zoning.

The purpose of the Exclusive Farm Use (EFU) zone is to provide areas for continued practice of commercial agriculture. It is intended to be applied in those areas composed of tracts that are predominantly high-value farm soils as defined in OAR 660-033-020(8). These areas are generally well suited for large-scale farming. It is also applied to small inclusions of tracts composed predominantly of non-high value farm soils to avoid potential conflicts between commercial farming activities and the wider range of non-farm uses otherwise allowed on non-high value farmland. Moreover, to provide the needed protection within cohesive areas it is sometimes necessary to include incidental land unsuitable for farming and some preexisting residential acreage.

The purpose of the Timber Conservation (TC) zone is to conserve forest lands by maintaining the forest land base and to protect the forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture. The TC zone places primary emphases on forest use, but compatible uses are also allowed. These include uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture, and recreational opportunities appropriate in a forest environment. Also included are locational dependent uses such as communication towers, and mineral and aggregate resources.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the North Santiam River were generally supportive of WSR designation. Two comments were received highlighting river values. Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The North Santiam River, above Detroit Reservoir, and above the BLM segment, was studied for potential WSR designation by the Willamette National Forest with public input in the DEIS in 1987. Three segments were found Eligible for Designation: 1) Santiam Lake to wilderness boundary (3.8 miles), 2) Wilderness boundary to bridge on State Hwy. 22 (4.2 miles), 3) State Hwy. 22 to Rainbow Creek (19.5 miles).

A Suitability Study has not been completed to determine potential designation into the National Wild & Scenic River system. The Forest Plan schedule has not been determined for the Willamette's revision effort.

The Willamette National Forest and Salem District, Bureau of Land Management both manage lands under the Northwest Forest Plan. In addition, other laws, statutes, regulations, and orders are common to both agencies. Besides eligibility determinations by each agency on segments of the North Santiam River, there would be consistency in designation between BLM and USFS plans, programs and policies.

The U.S. Army Corps of Engineers (USACE) manages 101.6 acres (0.7%) acres within the North Santiam River segment. USACE's mission is to provide vital public engineering services to strengthen our Nation's security, energize the economy, and reduce risks from disasters.

The USACE has conveyed interest in coordinating and cooperating with the BLM if planning proceeds with a suitability study. The Corps desires consistency in developing compatible land/resource use goals, to be good stewards and efficiently manage mutually-shared public resources. A proposal for WSR designation that includes Corps lands would require thorough environmental and programmatic review by the Corps District and Project Offices.

A Wild and Scenic River designation is likely consistent with some Corps goals but may not be compatible with others. Case in point: restoration of listed fish is a National goal that may be promoted by such a designation. However, fisheries restoration projects, like construction of mandated fish passage or collection facilities, may not be compatible. The Corps would be unlikely to support designation that would unduly restrict or affect the primary missions of flood damage reduction, hydropower production, or fisheries management and, in some cases, irrigation responsibilities.

Lands below the Corps dams are maintained for a variety of purposes. In all cases these lands must remain available in order to rebuild the dams upon structural failure. This is part of the Corps justification for retaining them. Dams have life spans and eventually will be re-constructed. The Corps would need specifics from BLM regarding the effects that a WSR designation would have on the Corps ability to accomplish routine operations, maintenance and special project needs such as major reconstruction. (Shelly Hanson, Natural Resource Management, Portland, Oregon 97204, 503-808-4325, July 18, 2013)(Contact for this effort: Patti Williams, Chief, Natural Resource Management Section 503-808-4322, Patricia.D.Williams@usace.army.mil)

The majority of land ownership along this river consists primarily of private land holdings. (88%)/ On these lands, uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Oregon Department of Fish and Wildlife. The State of Oregon has four subdivisions totaling 4.4% of the corridor. Oregon Department of Fish and Wildlife. The State Department of Fish and Wildlife manages 172 acres of land within the North Santiam River corridor.

Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology.
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Northwest Power and Conservation Council. The Council has designated this segment of the Nestucca River as "protected areas" for resident and anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

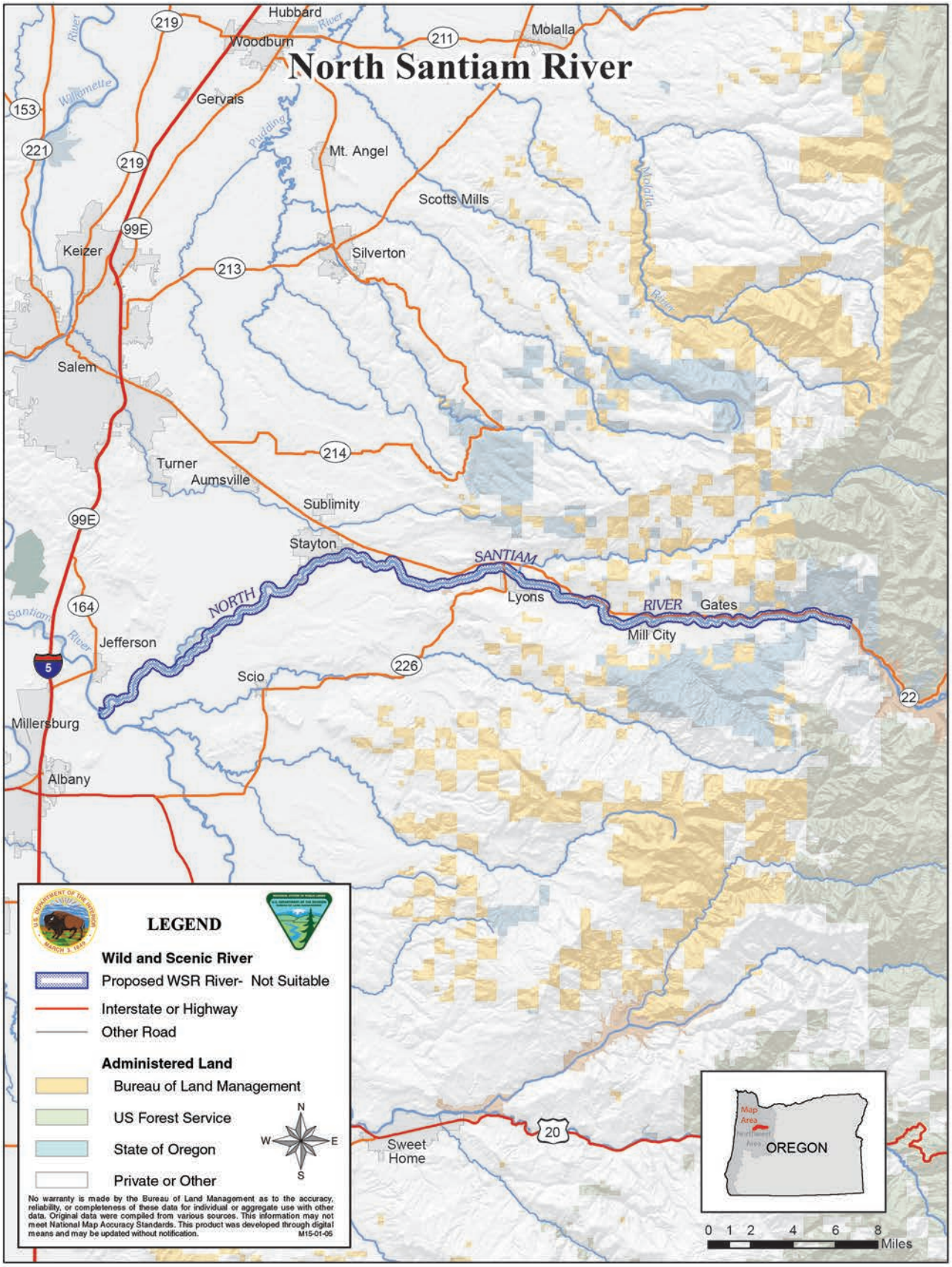
Elkhorn Creek WSR, a tributary of the Little North Fork Santiam River, is the only designated WSR within the North Santiam River watershed.

Criteria 13: The potential for water resources development.

This segment of the North Santiam River flows between two water resource developments. No plans for significant water development within the segment from Big Cliff Dam downstream to Bennett Dam were identified during this study.

North Santiam River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the North Santiam River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality and outstandingly remarkable recreation values.


North Santiam River
Hubbard
Woodburn
Molalla
Gervais
Mt. Angel
Scotts Mills
Keizer
Silverton
Salem
Turner
Aumsville
Sublimity
Stayton
SANTIAM
NORTH
RIVER
Lyons
Gates
Mill City
Jefferson
Scio
Millersburg
Albany
Sweet Home
Wollamette
Pudding
Molalla
Santiam
219
211
153
221
99E
213
214
164
226
22
20
5
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
Private or Other
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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Sandy River Wild and Scenic River Suitability Determination

Table 72. Sandy River Wild and Scenic River suitability.

Segment Name:	**Sandy River**
Segment Description:	Segment A: Mt. Hood National Forest boundary to Marmot Diversion Dam Segment B: Marmot Dam to the east boundary of Sec. 36, T. 1 S., R. 4 E., W. M. near Dodge Park.
Total Segment Length:	26.29 miles
Length on BLM Land:	7.28 miles
Total Segment Area:	8,043.17 acres
Area on BLM Land:	1,518.39 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreation, Fisheries, Scenery, Cultural
Description of ORVs:	The eligibility determination for this segment of the Sandy River was made during the BLMs 1990 land use planning effort. In order to facilitate a better understanding of the river values, this report includes a description of the cultural, fisheries and recreation ORVs for this segment of the Sandy River.

Sandy River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The river segments under evaluation were split for nearly 100 years by the presence of Marmot Dam, a diversion dam that was the centerpiece of Portland General Electric's Bull Run Hydroelectric Project. In 1999, PGE announced its intention to surrender its project license and instead decommission the project. Portland General Electric's surrender application for Project Number 477-024 was approved by the Federal Energy Regulatory Commission in 2004. This approval cleared the way for project removal to begin in 2007. The removal culminated in the demolition of Marmot Dam in the fall of 2007 and the restoration of the Sandy's free flowing character along its entire length from Mount Hood to the Columbia River.

The portion of the Sandy River undergoing WSR study incorporates the middle portion of the Sandy, including the former location of PGE's hydroelectric facilities. In recognition of these new conditions, the river segments A and B have been merged. In addition, the upstream terminus of the river segment has been moved downstream to the confluence of the Salmon and Sandy Rivers. This modification is precipitated by four primary factors:

- The new terminus marks the upstream reach of the river segment declared as navigable by the State of Oregon
- The change in terminus incorporates the river segment within the highest proportion of public ownership. The segment excluded from study contains little or no Federal ownership within the river corridor.
- The river segment excluded from study contains high portion of in-stream modification that would result in the foreclosure of additional of river uses, impeding manageability as a Wild and Scenic River

The Sandy River is a 56-mile tributary of the Columbia River located west of the Portland metropolitan area in Clackamas and Multnomah Counties. The river originates on the western slopes of Mount Hood before flowing west and slightly north through the Cascade Range before joining the Columbia near Troutdale.

Outstandingly Remarkable Values

Scenic: The scenic quality of this segment of the Sandy River corridor has received an "A" rating as defined in the Visual Resources Handbook, 11-8410-1. The river is characterized by diverse riverside vegetation and a variety of textures and forms. In several locations, vertical or near vertical basalt cliffs descend into the river. The scenic value of this river segment is therefore judged outstandingly remarkable.

Recreation: The Sandy River is one of the most prominent recreational fisheries in the state and draws visitors from outside the region. The river offers excellent opportunities for summer steelhead fishing. Other recreational activities including sport fishing for other fish species, whitewater rafting/kayaking, and day hiking attract local visitors as well as participants from outside of the region. The lower river, a portion of which is designated Wild and Scenic, is particularly popular among drift boaters, kayakers and other water-based users. The segment under evaluation offers complementary opportunities for angling and whitewater boating, with a range of river difficulty levels from Class II to Class IV.

The recreational value of the river segment was enhanced in 2007 with the removal of Marmot Dam, the centerpiece of a hydroelectric project operated by Portland General Electric. The decommissioning has removed an obstacle for river users and the river now provides unique opportunities for river interpretation and observation of geologic processes. In 2011, the BLM worked with a number of local, State and Federal partners to produce the Sandy River Water Trail guidebook. The guidebook offers detailed maps, segment descriptions, and river safety information. The BLM has acquired substantial riverfront acreage along this segment since 2001. The increasing public ownership, and associated public access, also contributes to the recreational value of this segment.

Several outfitters and guides offer commercial angling and whitewater boating services along this segment of the river. From 2011 to 2013, the Sandy has hosted a whitewater kayaking event called the Sandy River Showdown. Due to the river' s recreation attributes, visitors from outside the region, occurrence of regional events and availability of commercial services, the overall recreational value of the river is judged to be outstandingly remarkable.

Fish: Fisheries resources of the Sandy River are remarkably outstanding due to the listing of multiple fish species as threatened under the ESA, including spring and fall Chinook, and coho salmon, winter steelhead trout, and eulachon. Anadromous fish habitat is generally of high quality, and production of spring and fall Chinook salmon, and winter steelhead is high relative to other rivers in the region. The Sandy River has been designated as critical habitat for spring and fall Chinook salmon, winter steelhead trout and eulachon; and has been proposed as critical habitat for coho salmon.

Cultural: The cultural/historical value of segment A is judged outstandingly remarkable because of the existence of two historical sites, (the Barlow Trail and Rock Corral) within the river corridor. Both of these sites are listed in the Rational Register of Historic Places and are significant in the history of the area. The Rock Corral site is located on BLM-administered land west of Brightwood. The route of the Barlow Trail passes through this river corridor, but the exact location has not been mapped. Additionally, two other sites - North Mountain Trail and Cascade Mountain Toll Road are within the river corridor.

Other River Values and Characteristics

Wildlife: No regionally or nationally important population of indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit this river corridor. In addition, overall wildlife habitat is only fair because of the extensive human presence within the corridor. Many homes, roads, small communities, a state highway, and recreation areas have degraded what was once a significant winter range for deer. The wildlife resource is judged to be of less than outstandingly remarkable value.

Botany: No documented regionally or nationally important populations of threatened or endangered botanical species inhabit this river corridor. The botanical resources of both river segments are judged to be of less than outstandingly remarkable value.

Historical: In 1805 and again in 1806, members of the Lewis and Clark Expedition explored the lower stretches of the Sandy River as they traveled down the Columbia to the Pacific Ocean. Pioneers used the trail over Lolo Pass to drive livestock over the mountains. The first wagons came over the Cascades in 1840, and in 1843, the great east-west migration of settlers to the Oregon Territory began. The Barlow Road, along the Indian trail leading west from the Lolo Trail, opened in 1846 and became popular with new settlers.

Geological: Long before the Cascade Range existed, the ancestral Sandy River began carving its meandering course. As the Cascades rose, the stream cut through twenty million years of Northwest Oregon geology, carving a 700-foot-deep gorge that exposes a cross-section of seven major geologic formations.

River Corridor Setting - Access and Development: Along the 26 mile segment of the Sandy River, four or more transportation bridges cross the river. Two additional locations appear to have bridges that have been removed. Public access to the river corridor is provided via Mt. Hood Highway 26 as it weaves in and out of the ½-mile wide corridor. Recreation access to the river is legal where Federal, State, or County lands border the river, which is under 20%. Access to a majority of the riverbed may be restricted

by private land ownership. No cities lie within the river corridor; Sandy is near the west end. The setting of this river corridor is Rural (ROS – The area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. The convenience of recreation sites and opportunities are more important than a natural landscape or setting. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses) but developments tend to move toward semi-urban setting where the area is characterized by a substantially urbanized environment, although the background may have natural-appealing elements.

High levels of human activity and concentrated development, including recreation opportunities are prevalent. Developed sites, roads and other recreation opportunities are designed for high use. The agricultural, transportation, residential, and business developments that lie along the corridor can be seen from the river. These include two small airstrips, private and commercial shops, galleries, rentals, churches, resorts, a B&B, lodges, retreats, commercial outfitter businesses, cabins, a trout farm, and numerous private subdivisions and homes. Developed parks include Dodge Park and Latourette Park Recreation Site. There is a seven mile section, westward from the center of the corridor, which is less developed, with fewer businesses and home sites. Occasional dispersed day-use sites lie along the river's edge. The river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Current land ownership for this 26.29-mile segment is a combination of Federal, private, County, State, lands (Table 73). Five BLM parcels within the river corridor span the riverbed for ownership on both sides. One parcel borders the riverbed on one side of the river. Another five BLM parcels lie within the corridor but do not contact the riverbed. There are eleven BLM parcels total. The BLM manages 1,519 acres (18.9 percent) of the river corridor along this segment. The BLM manages 7.28 miles (27.7 percent) of shoreline along this segment.

Table 73. Land Ownership within the Sandy River corridor.

Ownership	Acres	Percentage
BLM	1,518.39	18.9%
Local Government	279.21	3.5%
Private	156.79	1.9%
Private Industry	562.43	7.0%
Private Non-Industry	5,418.38	67.4%
State	0.35	0.01%
USFS	42.67	0.5%

Land ownership along this river segment has changed substantially since the river was first evaluated by the BLM in 1992. The BLM has acquired substantial holdings through fee purchase within the Sandy River corridor through the Sandy River/Mount Hood land tenure strategy. These efforts have increased the level of Federal ownership within the river segment. The project is ongoing; the BLM has submitted requests for Land and Water Conservation Funding in FY 2014 and FY 2015.

All BLM lands within the river corridor are included in the proposed Sandy River Area of Critical Environmental Concern.

In 2002, the State of Oregon declared the Sandy River navigable from the Columbia River upstream to river mile 38 (the confluence of the Sandy and Salmon Rivers). The navigability finding the State Land Board has asserted "…a claim to the ownership of the submerged and submersible land underlying [the] waterway."Several uses occur on private land within the river corridor including timber production, residential and recreational development and limited agriculture and livestock grazing.

The Oregon State Water Resources Department has recorded 65 water rights and 65 points of diversion on the Sandy River from the Mt. Hood NF boundary to the east boundary of Sec. 36, T. 1 S., R. 4 E., W. M. near Dodge Park. The water rights in the river segment are for a wide variety of purposes including instream uses, fisheries enhancement, domestic uses, irrigation, and livestock. Table 74 below shows water types and uses.

Table 74. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Commercial Uses	2	2	0.22	
	Domestic Expanded	2	2	0.205	
	Irrigation	2	2	0.21	
	Nursery Uses	1	1	0.267	
	Quasi-Municipal Uses	1	1	0.82	
Storage	Fish and Wildlife	3	3	0	0
	Fish Culture	1	1	0	0.1
	Livestock	10	10	0	4.5
	Storage	3	3	0	2.4
Surface Water	Aesthetics	3	3	0.07	
	Anadromous and Resident Fish Rearing	1	1	200	
	Domestic	22	22	2.7873	
	Domestic Including Lawn and Garden	1	1	0.03	
	Fish Culture	2	2	0.005	
	Human Consumption	1	1	0.005	
	Instream Uses	1	1	600	
	Irrigation	1	1	0.0173	
	Irrigation and Domestic	3	3	0.32	
	Livestock	3	3	0.0323	
	Power Development	1	1	0	
	Quasi-Municipal Uses	1	1	0.08	
Totals		**65**	**65**	**805.0689**	**7**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. This segment is within the Sandy River Special Recreation Management Area (SRMA), designation of the river segment would coincide with the intensity of recreational management already proposed for the area. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment, including hiking and nature study. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for new dams or diversions on file for this river segment. PGE is currently in the process of completing decommissioning for the Bull Run Hydroelectric project.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current county road has the potential to interact with the river channel in several locations. Therefore, it is expected that river designation would require more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation. On the Sandy, it is foreseeable that bank stabilization activities would be proposed by the relatively high number of private landowners within the river corridor, particularly on the river segments from Revenue Bridge downstream to Dodge Park and between the Salmon River confluence and river mile 32. These projects would be subject to permitting from the US Army Corps of Engineers, providing a Federal nexus for these projects.

Proposed in-channel projects for the purposes of flood protection could be curtailed if these projects were found to have a direct and adverse impact on river values. For instance, flooding along the upper and middle Sandy River in 2011 resulted in emergency management actions being taken to stabilize roads and residential development. If the river were designated, the river administering agency would play a greater role in project permitting under section 7 of the Wild and Scenic Rivers Act.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Sandy River segment was added to the National Wild and Scenic Rivers System, the BLM, Salem District would be most suited to manage the land and resources within this boundary, unless Congress

designated another agency. The BLM is currently the administering agency on the lower Sandy WSR, which extends from Dodge Park downstream to the Dabney State Recreation Area.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study. There is likely to be some increased cost of administering the area if designated:

Currently, there are limited recreation facilities designed to meet the needs of users. Additional infrastructure and maintenance resources would be required to accommodate the increased visitation that would likely result from designation. Facilities that may be required on BLM lands include boat ramps, interpretation sites, trail heads, and trails.

Land Acquisition: The BLM may continue to pursue land acquisition from willing sellers along the Sandy River as funds and opportunities arise in order to manage the area better for the protection of the ORVs. Designation of the segment would enhance the BLM's ability to obtain funding for such acquisitions, and acquisitions would enhance the BLM's ability to manage the segment. At this time, BLM does not consider any land acquisitions as essential for the management of a designated river corridor, so no detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber

management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The entire river corridor is located within Clackamas County. Clackamas County has designated the Sandy River corridor as:

- Timber District (45%)
- Rural Residential Farm Forest 5-acre (29%)
- Exclusive Farm Use (15%)
- Recreational Residential 2 acre (5%)
- Rural Commercial (2%)
- Urban within Sandy City limits (2%)
- Hoodland Residential (1% - special district)
- Ag/Forest District (<1%)
- Mountain Recreation Resort (<1%)
- Rural Tourist Commercial (<1%)

The purpose of the timber district is to implement the goals and policies of the Comprehensive Plan for Forest areas. Uses listed include: farm and forest, natural resource, residential, commercial, mineral aggregate, oil and gas, transportation, utility and solid waste disposal, parks and recreation.

The purpose of the Rural Residential Farm Forest 5-Acre District is to implement the policies of the Comprehensive Plan for Rural areas. Similar information may be found at the Clackamas County website above.

Zoning districts are spread out intermittently along the river segment. Zoning districts are not broken out for lands within city limits. The river runs partially through Sandy City urban boundaries. Several districts have a purpose to maintain and enhance the natural environmental and living qualities of those areas within the Mt. Hood Community which are recreational residential in character through conservation of natural resources and carefully controlled development.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal

government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41, of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

In 2002, 48 miles of the Sandy Basin were listed as water quality impaired water bodies for temperature and dissolved oxygen. In 2005, DEQ issued a Total Maximum Daily Load (TMDL) order for the Sandy River Sub-basin for temperature from the mouth to Marmot Dam (River mile 30).

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the Sandy River were generally supportive of wild and scenic river designation. Eight comments were received specific to this river segment that highlighted the river's recreational and scenic values.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or**

designation due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Bureau of Land Management implemented the Sandy River Basin Integrated Management Plan in April 2009. The document guides the future management of resources within the Sandy River Basin for the next 15 years. An integrated approach to resource management has been taken that would preserve and protect the ecological integrity of the region through the enhancement and restoration of natural resource values while providing complementary recreation opportunities and implementing the Salem District Resource Management Plan (1995). The management plan addresses all BLM managed resources within the Sandy River Basin. Even without designation as a WSR, BLM's long-term goal of this area is to achieve compliance with water quality standards for the 303(d) listed streams in the this river. The Plan identifies implementation strategies to achieve this goal.

Wild and Scenic River designation would be consistent with the direction contained in the SRBIMP. The SRBIMP outlines a 15-year interdisciplinary management strategy for public lands within the Sandy River Basin. Projects within the river segment under evaluation include restoration and recreation development at the former Marmot Dam site, restoration of Minisnger Bench, fisheries habitat improvement, dissemination of recreation-related public information, and treatment of invasive non-native species. The Plan recognized the 'eligible' status of the middle Sandy River and reiterated interim protection measures contained within the 1995 Salem District Resource Management Plan.

The river segment under study is bookended by two designated WSR segments (see Criteria #12). Management of the currently designated BLM and USFS sections would be consistent with the same plans, programs, and policies of the eligible BLM segment. Designation would be consistent with management practices by Forest Service upstream, as the Forest Service is currently protecting the similar ORVs as BLM has identified. Both agencies manage resources under the Northwest Forest Plan and comply with similar laws, regulations, and acts.

State of Oregon

The Sandy River has also been designated as a State Scenic Waterway (12-mile length). (Oregon Administrative Rule (OAR) 736-040-0075 dated 11/12/1992) with its own Scenic Waterway Rules, Oregon Administrative Rules and Oregon Revised Statutes. Management would be consistent with a USFS or BLM designation into the National Wild and Scenic River System. The State Scenic Waterway is directly downstream of the river segment under study.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding in 2011, with DEQ that defines the process by which

the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU. Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated Segments A and B of the Sandy River as a "protected area" for anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat.

This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

The Oregon Omnibus Wild and Scenic Rivers Act of 1988 extended Federal protection to two segments of the Sandy River. The Mount Hood National Forest manages a 12.5 mile segment of the Sandy from its headwaters. Upstream of BLM's eligible segment, the Mt. Hood National Forest designated 24.9 miles of the Sandy River as a National Wild and Scenic River in 1988. Outstandingly Remarkable Values include Scenery, Recreation, Fisheries, Geology, and Botany. The boundary is from the river headwaters to the Mt. Hood National Forest boundary.

The 1988 WSR designation also includes another separate segment managed by BLM - an additional 12.5 miles between Dodge Park and Dabney Park. This segment lies downstream of the eligible BLM segment and is administered by the Salem District.

The Salmon River, one of the largest tributaries of the Sandy, has also received Federal protection under the Wild and Scenic Rivers Act in 1988. The entire length of the river from Mount Hood to the Sandy has been designated. The USFS and BLM are the administrators for different segments of this WSR.
In 2009, a segment of another Sandy River tributary, the Zigzag River, was added to the NWSRS.
In addition to WSR designation, large portions of the Sandy River basin under the management of the Mount Hood National Forest are designated wilderness. Portions of the Mount Hood and Salmon-Huckleberry Wilderness Areas are within the drainage area of the Sandy.

Along the lower river, numerous government and non-profit landowners have acquired land for the purposes of river protection. The Sandy River Gorge preserve is managed by the Nature Conservancy and protects riparian and upland habitat along the lower Sandy WSR.

Criteria 13: The potential for water resources development.

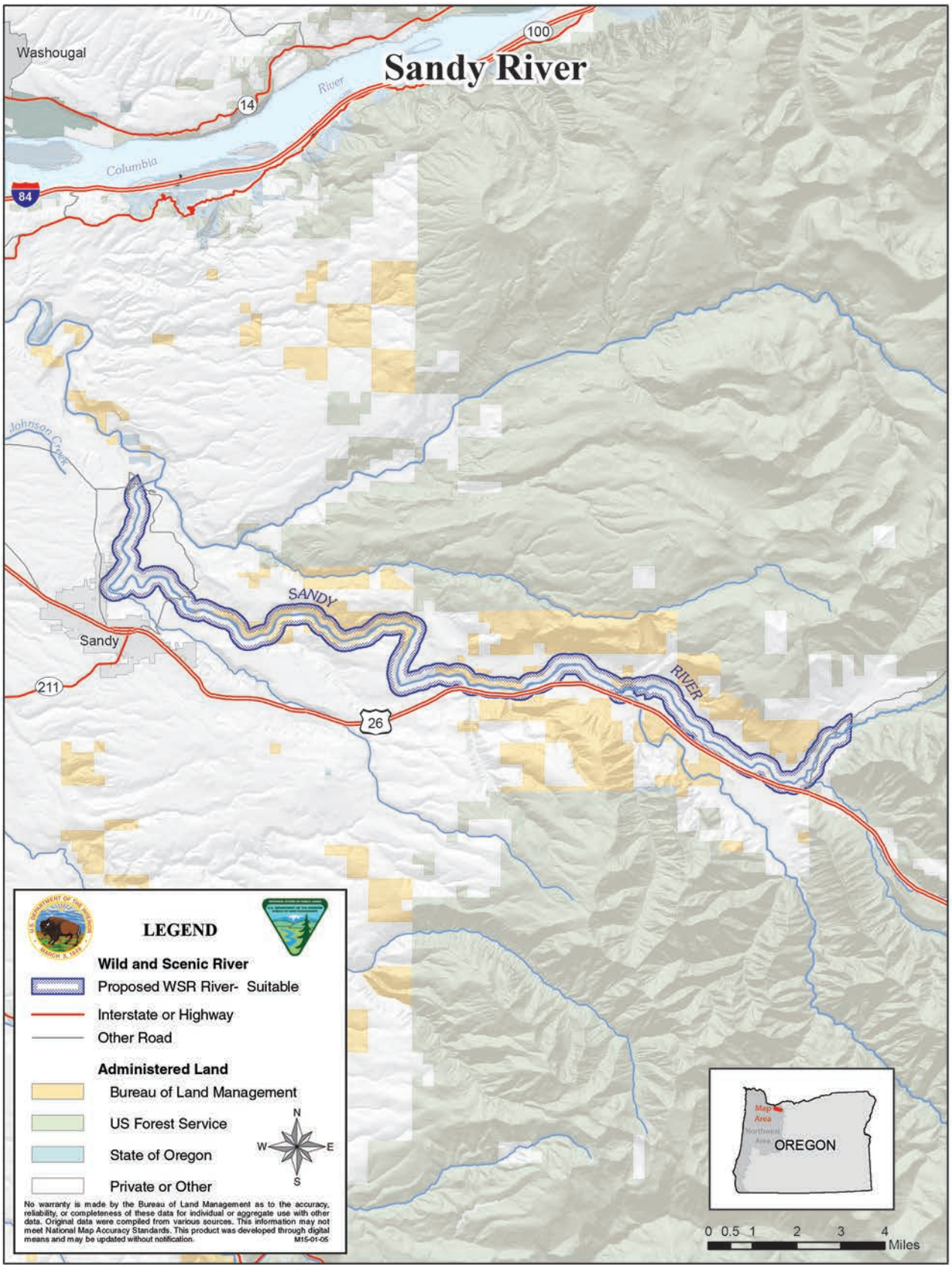
Recent events have removed water resource developments. Until October 2007, the river was dammed and the flow rate regulated by Portland General Electric's Bull Run Hydroelectric Project. The Project diverted water from the Sandy River at the Marmot Dam to the Little Sandy River at the Little Sandy Dam. Water was diverted from the Little Sandy River to Roslyn Lake through a wood box flume. The artificial lake supplied the 22-megawatt Bull Run hydroelectric powerhouse and emptied into the Bull Run River. The removal of the dam restored to the Sandy River to a free flowing condition from its headwaters to the Columbia River.

No plans for future significant water development in the segment were identified during this study.

Sandy River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Sandy River to be **suitable for inclusion** into the National Wild and Scenic Rivers System. The river's free flowing condition, water quality and outstandingly remarkable scenic, recreation, cultural, fisheries, and wildlife values would be protected through designation. It has been determined that in conjunction with administrative measures (such as designation of the Area of Critical Environmental Concern) Wild and Scenic River designation is the best method for protection of the river corridor and associated values.

By determining that a portion of the segment, confluence of Salmon River downstream to east boundary of Sec. 36, T. 1 S., R. 4 E., W. M. near Dodge Park is suitable, BLM minimizes potential conflicts between private landowners and the protective provisions of the Wild and Scenic Rivers Act. Specifically, the need to analyze projects proposed on private lands for potential impacts to Wild and Scenic River values would be minimized. Such consultation occurs when a private landowner seeks a Federal permit or funding from other Federal agencies, such as Army Corps of Engineers. The need for consultation would be limited to projects on private land where the effects of the proposed project stretch to upstream or downstream locations on Federal lands. Projects with impacts limited strictly to private lands would not require detailed analysis for impacts to Wild and Scenic River values. Projects on private lands that do not require a Federal permit or Federal agency funding would be exempt from any consultation requirements.


Sandy River
Washougal
100
14
River
Columbia
84
Johnson Creek
SANDY
RIVER
Sandy
211
26
LEGEND
Wild and Scenic River
Proposed WSR River- Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
Private or Other
N
W
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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Map Area
Northwest Area
OREGON
0 0.5 1 2 3 4
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Siletz River Wild and Scenic River Suitability Determination

Table 75. Siletz River Wild and Scenic River suitability.

Segment Name:	**Siletz River**
Segment Description:	Confluence of North and South Forks Siletz River to confluence with Siletz Bay
Total Segment Length:	66.18 miles
Length on BLM Land:	0.65 miles
Total Segment Area:	20,040.21 acres
Area on BLM Land:	53.96 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Scenic, Recreational, Fish and Wildlife
Description of ORVs:	The eligibility determination for this segment of the Siletz River was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the fisheries, recreation and scenic ORVs for the Siletz River segment.

Siletz River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Siletz River rises in the central Coast Range before flowing 66 miles to the Pacific Ocean south of Lincoln City. Formed by the confluence of its north and south forks near Valsetz in Polk County, the river takes a meandering course into Siletz Bay.

Outstandingly Remarkable Values

Recreation: The recreational value of the Siletz River is rated as outstanding in the Pacific Northwest Rivers Study DataBase (PNWRSD). Specific recreational activities that received an outstanding rating are salmon/steelhead fishing and drift boating. Upon further evaluation using BLM eligibility guidelines, research indicated that Coho Salmon, and winter and summer steelhead catch rates are among the highest in the North Coast region. The Siletz River is one of the most popular band and boat fishing rivers in the state. Many visitors travel from outside the region to fish and drift this river. The recreational value of this river segment is determined to be outstandingly remarkable.

Fish: The status of Oregon Coast (OC) coho Salmon is “Threatened” under the Endangered Species Act. In addition, Oregon Coast steelhead is a Bureau Sensitive Species. Both species rear and migrate through this segment of the Siletz River. The Siletz River has been designated Critical Habitat for OC coho salmon. The Siletz River supports a run of summer steelhead, migrating thru the segment to headwater

spawning habitat. This is the only known wild run of summer steelhead on the northern Oregon coast north of the Umpqua River. Chum salmon utilize the lower portion of the segment. Spring and Fall Chinook are present in the Siletz River in this segment as well as cutthroat trout and Pacific Lamprey. The presence of listed species, Bureau Sensitive species, the rare presence of summer steelhead, and the diversity of salmonid species in the Siletz River indicate fisheries remains an outstandingly remarkable value.

The Siletz River is one of the top producers of hatchery raised summer and winter steelhead in the region. It is among the better producers for coho salmon. Fall Chinook salmon production is regarded as fair.

Wildlife: The populations of the various waterfowl species found within the river corridor are not of regional or national importance, nor is overall wildlife habitat of exceptionally high quality. No nationally or regionally important populations of indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit the river corridor. The wildlife resource on this river segment is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Scenic: The scenic quality of the Siletz River received an "A" rating. The scenic value of this river corridor is judged outstandingly remarkable.

Other River Values and Characteristics

Botany: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Historic: Before the beginning of the era of disturbance, the Indians of the Siletz area may have numbered 15,000 individuals. In 1782-83, a great smallpox epidemic, which swept the Columbian region, reduced the population by more than one-third. A visitation of fever and measles during 1823-25 wiped out whole tribes, and by 1850, probably not 6,000 survived.

On their final subjugation, the native people were removed by military force to the "Coast Reservation", which had been established under various treaties within the same period, and to which several tribes had already peaceably removed. In 1856, and for many years after, the Federal government forced people out of their homes and livelihoods to come and live in a small part of the Oregon Coast known as the Siletz Reservation.

Cultural: One cultural site is currently recorded within the Siletz River corridor (interview, Leland Gilson, 6-12-90). A National Register of Historic Places eligibility has not been completed on the site at this time; however, it does not appear to be rare, one-of-a-kind, or unusual and so is not outstandingly remarkable. The overall cultural value is therefore rated as less than outstanding at this time.

River Access and Development. Along the 66-mile Siletz River, six transportation bridges cross the river. Most appear to span the full width of the river. Public access through the river corridor is provided by parallel roads that follow the river, including the Siletz Highway (229), Logsden Road (410) and other county and private forest roads. Access to the river is legal where Federal or County lands border the river. Two percent of the lands in the corridor are public; therefore, access to the riverbed may be restricted by private lands. On the western end at Kernville, the first several miles are lined with of homes boat docks in the river. The rural setting transforms to a forested setting with patchworks of timber harvest plots for the majority and remainder of the corridor (Roaded Natural). Along the way, the small communities of Logsden and Siletz have semi-rural environments. Networks of forest roads lie within proximity of the river. A number of developments close to the community setting include a boat ramp, small Siletz Airport, Siletz water treatment facility, tree farms, and agricultural fields. Recreation sites include Strome Co. Park, an RV park, Hee Hee Illahe Park, Jack Morgan Co. Park, Twin Bridges Memorial Park and Lincoln Co. Moonshine Park. River day-use sites can be seen on the river's edge.

The Roaded Natural area is an area where the landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. The Rural Area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. The river segment is free flowing with the possible exception of bridge support piers at Highway 101.

Criteria 2: The status of land ownership and use in the area.

Table 76. Land Ownership within the Siletz River corridor.

Ownership	Acres	Percentage
Bureau of Indian Affairs	1.74	0.01%
BLM	53.96	0.3%
US Fish and Wildlife Service	116.99	0.6%
Local Government	37.20	0.2%
Private	8,980.91	44.8%
Private Industry	10,085.83	50.3%
USFS	62.37	0.3%

According to Oregon Department of Forestry (ODF) records, 75 percent of the Siletz basin's acreage is owned by private, industrial forest companies. Of the industrial forest owners, Georgia-Pacific and Boise Cascade dominate the ownership. After decades of forest liquidation, Georgia-Pacific sold its lands to Plum Creek Timber. The largest nearby community is Lincoln City.

The Oregon State Water Resources Department records 74 water rights and 96 points of diversion on the 66-mile Siletz River segment from the Siletz River to Siletz Bay. Run date is June 1. Table 77 shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 77. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Domestic	1	1	0.044	
Storage	Forest Management	1	1		
	Industrial/Manufacturing Uses	6	6		
	Livestock	1	1		0.33
	Pollution Abatement	1	1		2.07
	Road Construction	1	1		
Surface Water	Aesthetics	1	1		
	Agriculture Uses	1	1		
	Anadromous and Resident Fish Rearing	1	1	134.0	
	Domestic	16	16	1.142	
	Domestic Expanded	4	4	0.04	
	Domestic Including Lawn and Garden	4	4	0.06	
	Fire Protection	2	2	0.013	
	Fish Culture	3	3	0.225	
	Human Consumption	4	4	0.0175	
	Industrial/Manufacturing Uses	2	2		
	Irrigation	21	28	8.98	
	Livestock	4	4	0.0261	
	Municipal Uses	9	9	19.86	
	Supporting Aquatic Life and Recreation	5	5	500.0	
			Totals	**664.4076**	**2.40**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)

The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Siletz River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD)

would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Siletz River lies in two counties: Lincoln (99%) and Polk (1%). Lincoln County has designated zones along the Yaquina River as:

- Timber Conservation (63%)
- Agricultural Conservation (30%)
- Rural Residential (4%)
- Urban–Siletz (1%)
- Planned Industrial (<1%)
- Public Facilities (<1%), an
- Planned Marine (1%)

All of the smaller (%) zoned parcels are located at the western end of the Siletz River or near the community of Siletz.

Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Agricultural Conservation lands goals are to preserve and maintain agricultural lands and to conserve and improve the existing commercial agricultural enterprise within the area. Lincoln County preserves and maintains agricultural land for farm use consistent with existing and future needs for agricultural products, forest and open space. Where rural residences can be accommodated on land within agricultural areas not suited for agriculture or commercial timber production, such residences are allowed if they pose no threat of conflict with prevailing farm and forest practices.

Polk County has designated zones along the river as: Timber Conservation (100%).

The Timber Conservation (TC) Zoning District is intended to:

a) Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses
b) Conserve and protect watersheds, soil, fish and wildlife habitats, and other such uses associated with forests;
c) Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management
d) Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and as such, are beneficial to the economy of the County and to the welfare of its people.

The State of Oregon regulates actions on many resources on private lands. Included are:

- Oregon Department of Geology and Mineral Industries. Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

- Oregon State Water Resources Department. OWRD's mission is to serve the public by promoting responsible water management. Goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. ORPD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water laws.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel

Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:
http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Siletz River were generally supportive of WSR designation. Five comments were submitted specific to this river segment.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Siletz River runs through Forest Service and BLM lands. The Siuslaw National Forest did not study their segment of the River for eligibility in the Wild and Scenic River system; however, the BLM determined that a 66.2-mile segment is eligible, including a section on USFS. With BLMs finding of eligibility, the FS indicates that they may study the river for eligibility later. Agencies would collaborate in the process. The Forest Service feels that the potential future designation should not deter from its plans, programs, and policies in meeting regional objectives, as they would be involved in the planning process.

The Forest Service and Bureau of Land Management follow management prescriptions of the Northwest Forest Plan. Management actions should be consistent.

The U.S. Fish and Wildlife Service (Service) manages 117 acres within the Siletz River corridor. Their mission is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service indicates their willingness to collaborate in a suitability study, which may result in designation as a Wild and Scenic River. Joint efforts would

result in consistent management decisions and program development. If the river merits designation, the Service would support study and designation on the condition that management prescriptions do not conflict with their goals and policies.

The Bureau of Indian Affairs (BIA) manages 1.7 acres within the Siletz River corridor. BIA's mission is to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives. According to BIA, a designation of Wild and Scenic to the associated lands managed within this river segment would be an improper overlay to these trust lands as they are held in trust for the benefit of Tribes and/or individual tribal members. Such a designation would thus be inconsistent with the BIA's mission.

The majority of land ownership along this river consists of private industrial and other private land holdings (95% combined). On these lands, uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology;
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated this entire segment of the Siletz River as a "protected area" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

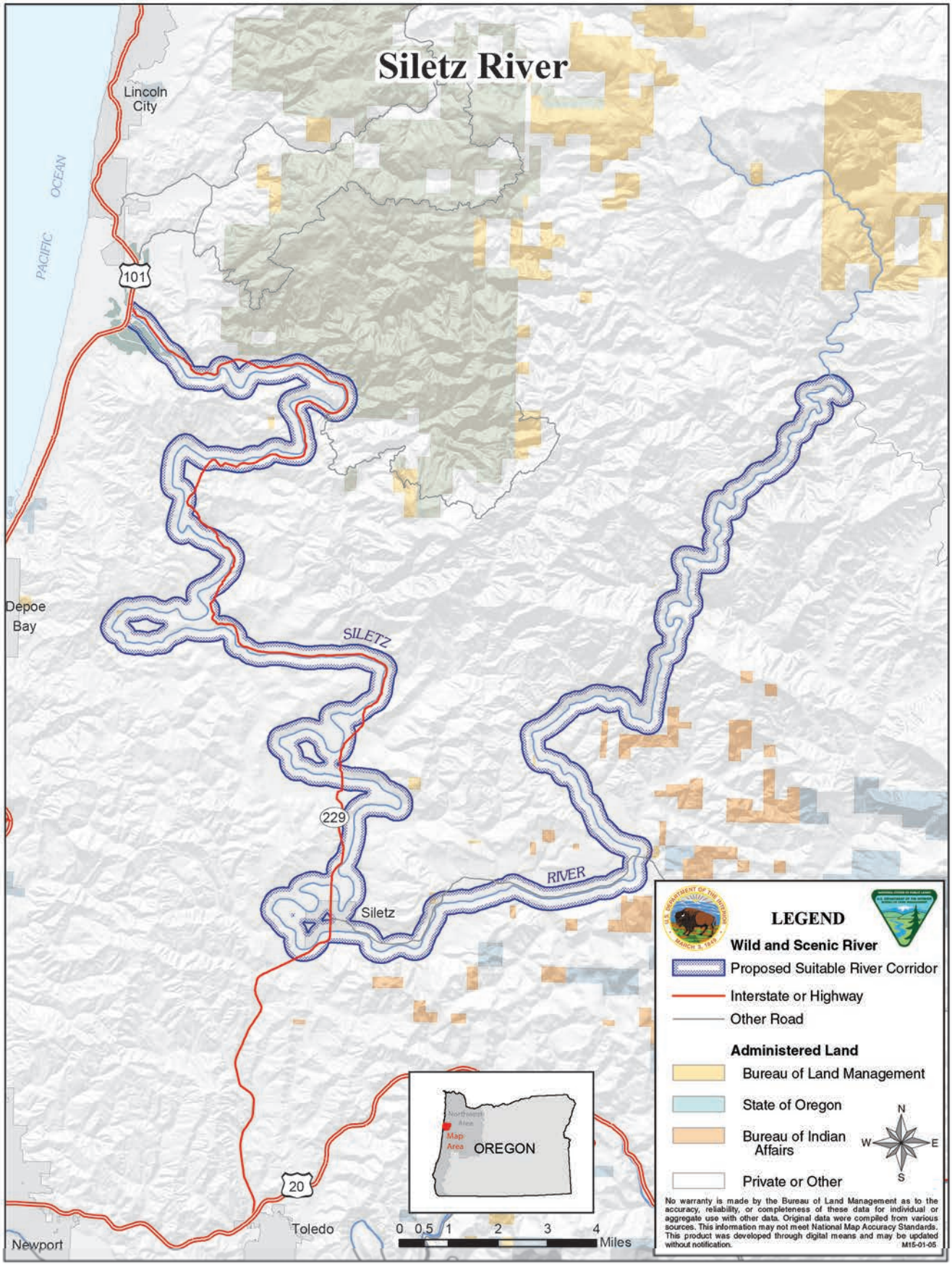
There is no designated Wild and Scenic Rivers within the Siletz River watershed nor have there been any legislative proposals for additional Federal protection of the Siletz River or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Siletz River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Siletz River to be **non-suitable for inclusion** into the National system. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR for inclusion into the National Wild and Scenic Rivers System. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality and outstandingly remarkable recreation values.


Siletz River
Lincoln City
PACIFIC OCEAN
101
Depoe Bay
SILETZ
229
RIVER
Siletz
20
Toledo
Newport
OREGON
Map Area
0 0.5 1 2 3 4 Miles
LEGEND
Wild and Scenic River
Proposed Suitable River Corridor
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
State of Oregon
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M15-01-05

South Fork Trask River Wild and Scenic River Suitability Determination

Table 78. South Fork Trask River Wild and Scenic River suitability.

Segment Name:	**South Fork Trask River**
Segment Description:	Headwaters to confluence with Trask River
Total Segment Length:	9.33 miles
Length on BLM Land:	0 miles
Total Segment Area:	2,802.02 acres
Area on BLM Land:	69.27 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish
Description of ORVs:	The eligibility determination for the South Fork Trask River segment was made during the BLMs 1990 land use planning study. In the 1990 eligibility assessment, the fisheries biologist rated the fisheries as an Outstandingly Remarkable Value (ORV).

South Fork Trask River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The South Fork Trask River is a 10-mile long tributary of the Trask River. It drains a mountainous timber-producing area of the Northern Oregon Coast Range and flows generally northward before its confluence with the main stem Trask River.

Outstandingly Remarkable Values

Fish: The status of Oregon Coast coho Salmon is “Threatened” under the Endangered Species Act. In addition, steelhead is a Bureau Sensitive species. Both species spawn and rear in this segment of the South Fork Trask River. Both a fall and spring run of Chinook are present in the Trask River in this segment.

Other River Values and Characteristics

Wildlife: The wildlife value is this river segment is rated as outstanding for elk in the Pacific Northwest Rivers Study DataBase (PNWRSD). Upon further evaluation using BLM eligibility guidelines, research indicated that both elk and deer production is only fair. No nationally or regionally important populations of indigenous wildlife species, and no threatened or endangered wildlife species are known to inhabit this river corridor. The wildlife resource of this river corridor is therefore judged to be of less than outstandingly remarkable value.

Recreation: No individual recreational activity, including sport fishing, or combination of activities is so unique or of such exceptional quality that visitors would be expected to travel from outside the region to participate. The overall recreational value is therefore judged less than outstandingly remarkable.

Scenic: The scenic quality of this segment of the South Fork Trask River corridor has received a "B" rating as defined in the Visual Resources Handbook 8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Ecological/Botanical: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

River Setting- Access and Development: Along the 9.3 mile South Fork Trask River, at least seven bridges span the river. The riparian zone of this river is dense with trees. About 85% of the river is legally accessible to the public with a majority of state and Federal ownership. The primary use of the landscape is timber management; however, fewer harvests are noted when compared to areas managed by local private timber companies. Timber harvest is noted in the section of private land within the segment. The setting is Roaded Natural with fewer graveled roads than privately managed forests. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. The South Fork graveled road parallels the river corridor for a majority of its length. Varying stages of timber harvest can be seen over the adjacent hillsides. On the Tillamook State Forest, the adjacent hillsides compliment the river's natural setting. One section of private land on the northern section near the confluence with No. Fork had about forty private home residences along the river banks. This area's setting is Rural.

The area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. The Trask River Co. Park is another development located at the northern end of the river at the confluence with North Fork. There are no cities or communities along the corridor. The area is unincorporated Tillamook County. No agricultural or business developments are noted. The entire river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 9.33-mile segment is a combination of Federal, private, and State lands (Table 79). Four BLM parcels lie within the river corridor. They do not border the riverbed at any shoreline. BLM manages 69.27 acres (2.5 percent) within the river study corridor.

Table 79. Land Ownership within the South Fork Trask River corridor.

Ownership	Acres	Percentage
BLM	69.27	2.5%
Private	186.06	6.6%
Private Industry	383.85	13.7%
State	2,162.83	77.2%

The vast majority of the Trask watershed is utilized for forest use (91%), with agricultural use as the next largest zoning category at 6%. The remainder of the watershed is a combination of urban use (1%), rural residential use (1%), and other miscellaneous uses (1%).

The Oregon State Water Resources Department records 9 water rights and 13 points of diversion on the 9-mile South Fork Trask River segment from S FK Trask River to Trask River. Table 80 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 80. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Anadromous and Resident Fish Rearing	2	2	108.7	
	Domestic	3	3	0.02	
	Fire Protection	2	2	0.065	
	Irrigation	2	2	0.06	
	Irrigation and Domestic	1	1	0.01	
	Livestock	2	2	0.015	
	Supporting Aquatic Life	1	1	60.0	
			Totals	**168.87**	

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)

The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the South Fork Trask River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the South Fork Trask be designated, the BLM would likely approach the Oregon Department of Forestry for assistance in managing river-related values. ODF managed over 70% of lands within the river corridor.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Tillamook County has zoned lands along the ½-mile corridor of the South Fork Trask River as:

a) 90% Forest Zone (F). No purpose is identified on the County web pages for this zone. In June 2013, Tillamook County declares that Resource Zone Forest (F) does not conform to current state law. Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
b) 8% Rural Residential (RR). This zone lies on the northern end of the river. The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)
c) 2% Small Farm and Woodlot – 20 (SFW 20). This zone lies on the northern end of the river. The County's adopted Small Farm & Woodlot-20 (SFW-20) zone does not conform to current state law. Work is underway to align Tillamook County's ordinances with state law. In the meantime the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands. This does not affect the Small Farm & Woodlot-10 (SFW-10) zone.
d) <1% Neighborhood Commercial Zone (C1). The purpose of the NT-C1 zone is to permit a moderate level of commercial activities to serve the commercial needs of neighborhoods, rural areas, and tourist areas. Commercial uses in the NT-C1 zone typically provide goods and services that would be required by most households in the area, and they have relatively few impacts on neighboring areas.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of

Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the South Fork Trask River were not directly related to WSR designation. Three comments were submitted requesting additional public access for recreational fishing.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Tillamook State Forest manages 76.4% of the eligible river segment. Like all State Forests, ODF is charged by the Oregon Administrative Rules"

The Oregon Department of Forestry (ODF) manages 2,163 acres (77.2%) within the South Fork Trask River corridor in the Tillamook State Forest. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions (Contact: Mark Meleason, Riparian Aquatics Specialist, Oregon Dept. of Forestry, Salem, 503 945-7371).

A small percentage of land ownership along the river near Tillamook consists of private land holdings (20.3%). In this area, current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology;
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by

which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated this segment as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

There is no designated Wild and Scenic Rivers within the Trask River watershed nor have there been any legislative proposals for additional Federal protection of the Trask River or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

South Fork Trask River Suitability Determination

During this suitability analysis, it was determined that the fisheries resources on the South Fork Trask River no longer meet the threshold for an outstandingly remarkable value. Although this segment has available habitat for Coho and Fall/Spring Chinook Salmon, from a fisheries habitat and species standpoint, when comparing this stream segment to others within the North Oregon coast, the North Fork Gate Creek does not contain any rare, unique, or exemplary features that support a designation.

Since fish are no longer an Outstandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.

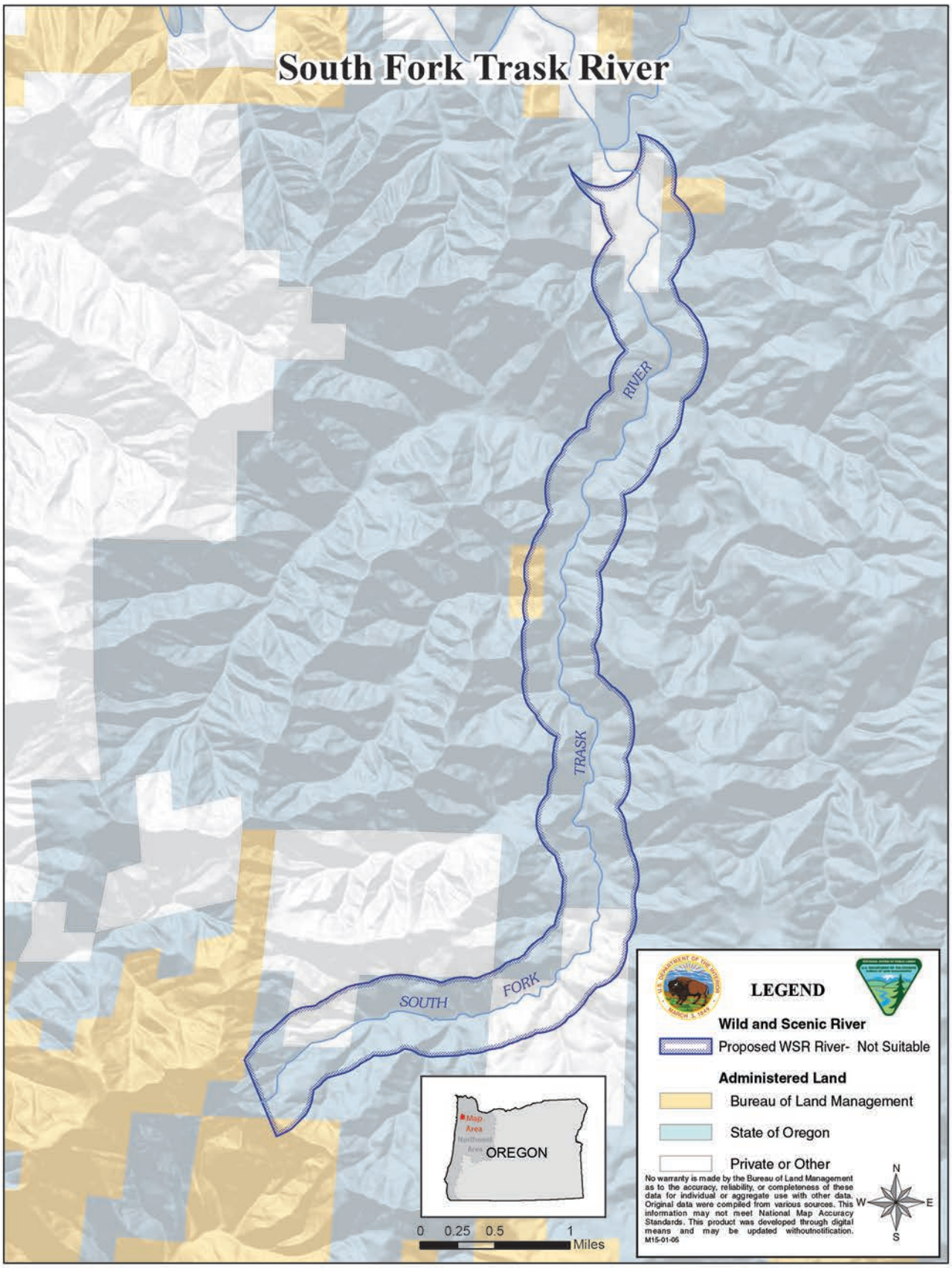
South Fork Trask River
RIVER
TRASK
SOUTH
FORK
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Administered Land
Bureau of Land Management
State of Oregon
Private or Other
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated withoutnotification.
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Table Rock Fork Molalla River Wild and Scenic River Suitability Determination

Table 81. Table Rock Fork Molalla River Wild and Scenic River suitability.

Segment Name:	**Table Rock Fork Molalla River**
Segment Description:	Headwaters to confluence with Molalla River
Total Segment Length:	13.41 miles
Length on BLM Land:	4.69 miles
Total Segment Area:	4,134.58 acres
Area on BLM Land:	1,480 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Scenic, Cultural
Description of ORVs:	The eligibility determination for the table Rock Fork Molalla River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Scenic and Cultural Outstandingly Remarkable Values (ORVs).

Table Rock Fork Molalla River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Situated between the Clackamas River to the north and the Little North Fork of the Santiam River to the south, the Upper Molalla watershed exhibits traits typical of the western Cascades including dense coniferous forests, heavy precipitation, and volcanic-origin geology. Elevations in the Table Rock Fork Molalla River watershed range from 4881 feet at the top of Table Rock to approximately 1200 feet at its confluence with the main-stem Molalla River.

The Table Rock Fork Molalla River is accessible via paved or improved gravel roads originating from the west. The area's main access routes, the South Molalla Forest Road (6-3E-6) and Middle Fork Road (, provides for the primary access to the Table Rock Fork. During the 13.4-mile length, seven transportation bridges cross the river. At the eastern end, there is a large power line that reaches inside the river study area, where a swath of forest cover (approximately 0.02 miles), has been cleared for the purposes of power line maintenance reasons.

Outstandingly Remarkable Values

Scenic: The scenic quality of this segment of the Table Rock Fork Molalla River corridor has received an "A" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged outstandingly remarkable.

Several significant scenic attributes distinguish the Table Rock Fork Molalla. The river's clear water and whitewater character add significantly to the overall visual experience. The numerous vertical and near vertical cliffs descending to the river, a constricted canyon near the lower portion of the segment, large moss-covered boulders, and diverse stream-side vegetation provide a variety of stream-side and foreground views.

From the river, the scene is one of a large canyon with moderately steep walls covered by a blanket of primarily second-growth (40-80 year old) Douglas-fir. In some areas, stream-side vegetation or geologic features restrict the "seen" area to only a few hundred feet on either side of the river. In many other areas, the adjacent hillsides are clearly visible behind the narrow strip of riparian vegetation.

The river segment is currently managed under Visual Resource Management class IV guidelines.

Cultural: Five cultural sites are currently recorded within the river corridor, four of which are on The National Historic Register and are on BLM land. The overall cultural value is therefore rated as outstanding. Checks for cultural resources on Private, State or Federal lands require research at Oregon State Historic Preservation Office (SHPO). Four of the sites are on the National Register of Historic Places, which infers significance; the fifth site would require a site visit and determination by the District Archaeologist to determine significance.

Other River Values and Characteristics

Recreation: The entire river segment is included within the Molalla River-Table Rock Special Recreation Management Area (SRMA). The Molalla River-Table Rock SRMA is an important recreation resource for the residents of northwest Oregon, including the Salem and Portland metropolitan areas.

A large majority of recreational use (75%) occurs in outside of the river segment on the mainstem Molalla River between Glen Avon Bridge and the Copper Creek Bridge, an area referred to as the Molalla River Recreation Corridor. Popular activities include swimming, picnicking, camping, trail hiking, fishing, driving for pleasure, target shooting, horseback riding, non-motorized boating and mountain biking.

Nearly all visitors to the Molalla River-Table Rock Special Recreation Management Area (SRMA) come from within the state, with a large majority (roughly 90%) from either the Portland metropolitan area or the rural areas of the northern Willamette Valley that are within an hour's drive. Portland (19.1%), Molalla (14.6%), Oregon City (8.5%), Woodburn (5.6%), and Canby (5.1%) were the top five municipalities for visitor origin.

The Table Rock Fork river segment does not include any developed trails or recreation sites. Two designated dispersed campsites are located within the river corridor and see use commensurate with other dispersed in the SRMA. Middle Fork Road serves as the primary vehicular access route to the Table Rock Trailhead, the primary destination in the Table Rock Wilderness Area. A small segment of the river falls within the boundaries of this Wilderness area.

A challenging whitewater boating run (Class IV) is located along the lower portion of the segment. Although the run is included in several guidebooks, it is not very popular (estimated 50 to 200 visits annually) and does not stand out among similar opportunities in the region.

No other activity or combination of activities in the river corridor draws visitors from outside the region. Therefore, the recreational value of the segment is determined less than outstandingly remarkable.

Fish: Fisheries resources of the Table Rock Fork of the Molalla River are outstandingly remarkable due to the listing of UWR (Upper Willamette River) spring Chinook salmon, and UWR winter steelhead trout as threatened under the ESA. The Table Rock Fork has been designated as critical habitat for both species. Both species spawn and rear in the Table Rock Fork. Most spring Chinook spawning and rearing in the river are wild offspring of hatchery-reared Chinook salmon as the wild run of spring Chinook salmon is thought to be extirpated from the Molalla River basin. The native run of winter steelhead is extant and the Table Rock Fork produces about one-third of the winter steelhead reared in the Molalla River basin (Bio-Surveys, LLC 2011). As noted previously spring Chinook salmon production in the Table Rock Fork is very low compared to other streams in the UWR basin, and winter steelhead production in the Molalla basin is less than that of several other UWR tributaries (North Santiam, and South Santiam Rivers) in the region. Other salmonid species in the Table Rock Fork include resident cutthroat and rainbow trout. These resident trout populations are wild, however the rainbow trout maybe introduced from hatchery stocking in the past. Fish habitat in the Table Rock Fork is fair for a higher gradient stream, but not outstanding. Large wood complexity and spawning gravels are notably lacking.

Wildlife: According to the 2013 survey, this river segment has the second highest population of harlequin ducks (a BLM sensitive species) of any river in the Salem District. Six adult ducks were observed. Quartzville Creek, which is already designated as Wild and Scenic, has the highest population of harlequin ducks (eleven adult ducks in 2013). The Northern spotted owl is the only threatened or endangered terrestrial wildlife species known to occur in the Molalla River/Table Rock SRMA. Overall wildlife habitat is fair to good, and that wildlife numbers and production are expected to be similar to that of most other areas within the region because of the similar habitat. The wildlife resource is therefore judged to be of less than outstandingly remarkable value.

Ecology/Botany: Rare botanical species do not occur within the river corridor. In addition, there are no existing or potential areas identified within the corridor for consideration as Areas of Critical Environmental Concern. For these reasons, the district botanist determined the botanical resources of this river segment to be of less than outstandingly remarkable value.

River Corridor Setting - Access and Development: Along the 13.4-mile Table Rock Fork Molalla River, approximately seven bridges cross the river. The Table Rock road provides access along the river nearly to the headwaters. At the eastern end, a large power line spans through the river study area. Trees have been cleared (0.02 mi) for power line access and maintenance. Public access through the river corridor and to the river is provided via forest roads that parallel the river for most of its length. On private industrial forest lands, access from the road to the river may not be legal. The predominate features and uses of the landscape are forest management practices. The setting is Roaded Natural where the landscape is generally natural with modifications moderately evident, such as timber management and harvest

practices on private lands. Varying stages of timber harvest are noticeable. A meandering network of timber access roads wind throughout the adjacent hillsides. The riparian zone has been left natural for a short distance on each side of the river. There are no communities, agricultural developments, residential areas, or recreation or business developments along the study area. The river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 13.41-mile segment is a combination of Federal, and private lands (Table 82). Three BLM parcels span the river corridor for ownership on both sides of the riverbed. An additional BLM parcel lies within the corridor, but does not border the riverbed. One of the parcels is over four miles long within the river corridor. There are four total BLM parcels in the river corridor. BLM manages 1,522.75 acres (36.8 percent) within the river corridor. The BLM manages 4.69 miles (35 percent) of the shoreline.

Table 82. Land Ownership within the Table Rock Fork Molalla River corridor.

Ownership	Acres	Percentage
BLM	1,522.75	36.8%
Private Industry	2,575.37	62.3%
Private Non-Industry	36.46	0.9%

The river corridor is within the Molalla River-Table Rock Special Recreation Management Area. Several small inholdings are present. These include several parcels owned by Weyerhaeuser along the Table Rock Fork. The privately-owned Bee Ranch is located at the Table Rock Fork-mainstem Molalla confluence. This parcel, located directly along the Molalla Forest Road, has been blocked to vehicle access and heavily signed to indicate its non-public status.

Some of the acreage falls within the boundaries of the Table Rock Wilderness. Outside of Table Rock Wilderness, BLM-administered lands within the SRMA have a long history of forest management either directly by the BLM or by industrial landowners prior to the 1992 exchange.

Under the 1995 Salem District RMP, BLM lands within the corridor are classified VRM Class III. The OHV area is Limited to Existing Roads. Land use allocations within the corridor are primarily Late Successional Reserve with a small component of General Forest Management Area.

Private lands within the river corridor are managed primarily for commercial timber production. There are no agricultural or residential developments within the river corridor.

The Oregon State Water Resources Department records 1 water right and 1 point of diversion on the 13-mile Table Rock Fork Molalla River segment from Table Rock fork Molalla River to the main stem of the Molalla River. Table 83 shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 83. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Anadromous and Resident Fish Rearing	1	1	50.0	
			Totals	**50.0**	

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Since this segment is within the Molalla River-Table Rock Special Recreation Management Area (SRMA), designation of the river segment would coincide with the intensity of recreational management already proposed for the area in the Molalla River-Table Rock Recreation Management Plan (July 2011). Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment, including dispersed camping.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions. The current road system intrudes upon the river channel in at least 3 locations, including a bridge on BLM-administered land in T7S, R8W section 32. Therefore, it is expected that river designation would lead to more stringent road design and maintenance requirements.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Table Fork Rock River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities and preparation of section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: The BLM may pursue land acquisition from willing sellers as funds and opportunities arise in order to manage the area better for the protection of the ORVs. Designation of the segment would enhance the BLM's ability to obtain funding for such acquisitions, and acquisitions would enhance the BLM's ability to manage the segment. At this time, BLM does not consider any land acquisitions as essential for the management of a designated river corridor, so no detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Table Rock Fork Molalla River lies entirely within Clackamas County. Clackamas County zoning for the Table Rock Fork Molalla River segment is Timber District (100%). The purpose of the timber district is to implement the goals and policies of the Comprehensive Plan for Forest areas. Uses mentioned include farm and forest, natural resource, residential, commercial, mineral aggregate, oil and gas, transportation, utility and solid waste disposal, and parks and recreation.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

The Table Rock Fork of the Molalla River was listed as a 303d water quality limited stream from the confluence with the Molalla River to headwaters. In 2008, DEQ issued a Total Maximum Daily Load (TMDL) Order that included the entire reach of Table Rock Fork that is proposed for Wild and Scenic River designation.

Currently, temperature validation within T. 6 S., R. 4 E., Section 4 (River mile 6.2) shows that waters flowing across BLM-administered lands are at nearly 88% compliance of meeting the TMDL temperature standards.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with Table Rock Fork Molalla River were supportive of designation. Two comments were submitted in favor of designation, with no comments in opposition.

Wild and Scenic River designation on the lower 6.2 miles of the Table Rock Fork Molalla River has been included in several pieces of legislation put forth by the Oregon congressional delegation, including the Oregon Treasures Act, put forth by Senator Ron Wyden in the 113th Congress and the O&C Trust, Conservation, and Jobs Act.

The Molalla River Alliance is a non-profit organization made up of more than 45 civic and conservation organizations; local, state and Federal agencies; numerous user groups; and local property owners. Members include the city of Molalla, Molalla RiverWatch, and Weyerhauser. The Molalla River Alliance has been the primary proponent of wild and scenic river designation in the Upper Molalla Watershed. According the group, there has been no public opposition to WSR designation on this river segment.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability, however, do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

A bipartisan coalition, plan and proposed legislation have been drafted. The O&C Trust, Conservation, and Jobs Act anticipates to create thousands of new jobs in Oregon's forested communities, ensure the health of Federal forests for future generations, and provide long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Association of O&C Counties has endorsed support for the bill, which includes the addition of 150 miles of Oregon Rivers to the Wild and Scenic Rivers Act. Rivers identified in the Act would be designated under the National Wild and Scenic Rivers system. **The Table Fork Rock Molalla River is identified and is therefore supported for suitability and designation.** (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013)

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

No other State or Federal lands lie within the Table Rock Fork Molalla River corridor. The majority of land ownership (about 63%) along the upper end of the river consists primarily of private industrial lands.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology
- Continue efforts to understand historical range of channel stability and function.

- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2001, which defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources.

Northwest Power and Conservation Council. The Council has designated the lower 11 miles of the Table Rock Fork, from the confluence to Lost Creek, as a "protected area" for anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

The Table Rock Fork Molalla river segment is currently included in a watershed-scale Wild and Scenic River proposal introduced by Oregon's congressional designation. The proposal would designate over 21 miles of the mainstem Molalla River and Table Rock as components of the National Wild and Scenic River system.

The BLM has found the mainstem Molalla River from its confluence with the Table Rock Fork to Glen Avon Bridge suitable for inclusion into the NWSRS.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Table Rock Fork Molalla River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Table Rock Fork of the Molalla River to be **suitable for inclusion** into the National Wild and Scenic Rivers System. The river's free flowing condition, water quality and outstandingly remarkable scenic, cultural and fisheries values would be protected through designation. It has been determined that in conjunction with administrative measures WSR designation is the best method for protection of the river corridor.

By determining that a portion of the segment, Boundary line in the northeast quarter of section 4, Township 7 south, Range 4 east downstream to its confluence with the Molalla River is suitable, BLM minimizes potential conflicts between private landowners and the protective provisions of the Wild and Scenic Rivers Act. Specifically, the need to analyze projects proposed on private lands for potential impacts to Wild and Scenic River values would be minimized. Such consultation occurs when a private landowner seeks a Federal permit or funding from other Federal agencies, such as Army Corps of Engineers. The need for consultation would be limited to projects on private land where the impacts of the proposed project stretch to upstream or downstream locations on Federal lands. Projects with impacts limited strictly to private lands would not require detailed analysis for impacts to Wild and Scenic River values. Projects on private lands that do not require a Federal permit or Federal agency funding would be exempt from any consultation requirements.

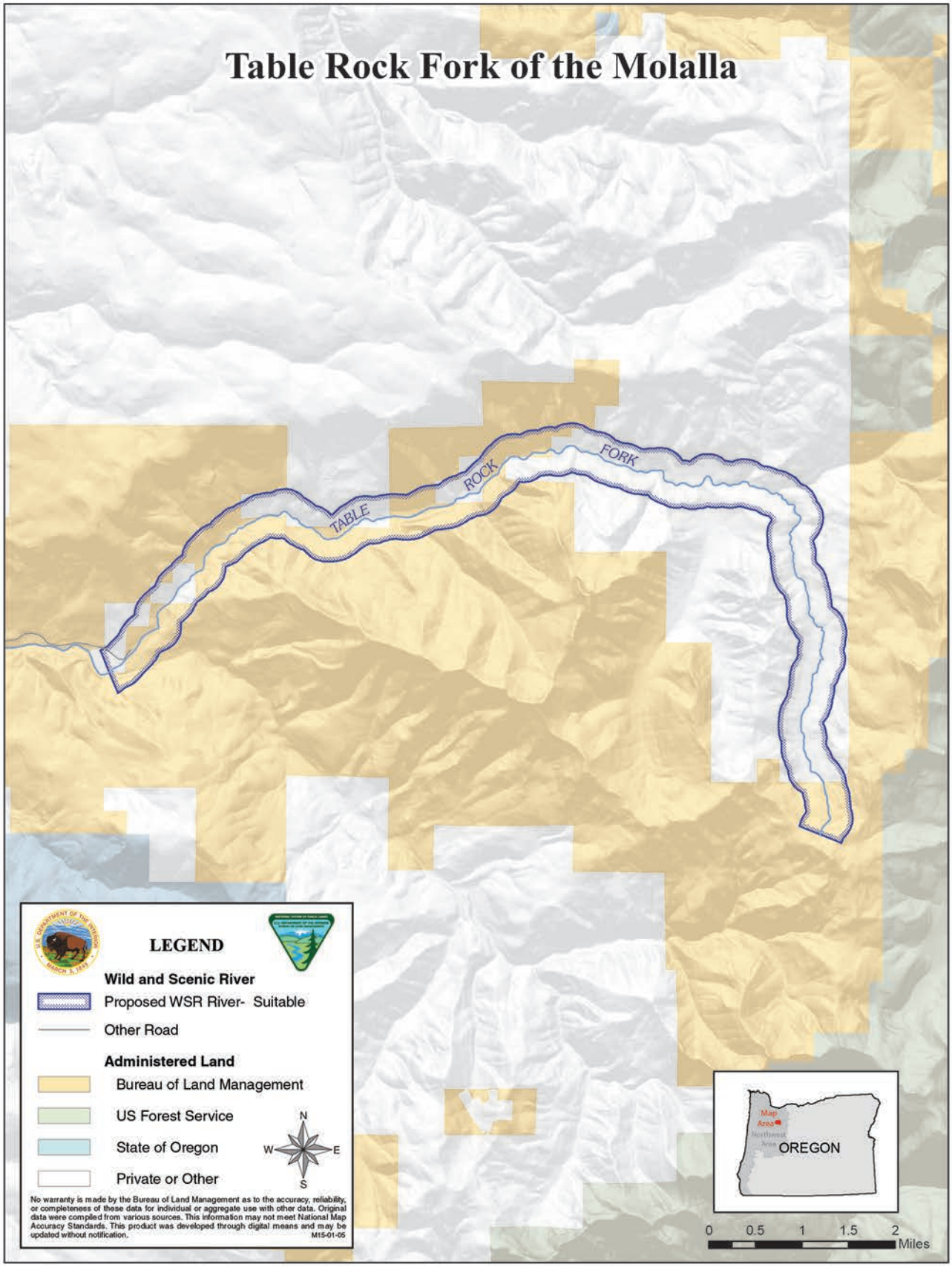
Table Rock Fork of the Molalla
TABLE
ROCK
FORK
LEGEND
Wild and Scenic River
Proposed WSR River- Suitable
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
Private or Other
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M15-01-05
Map Area
OREGON
0
0.5
1
1.5
2
Miles

Trask River Wild and Scenic River Suitability Determination

Table 84. Trask River Wild and Scenic River suitability.

Segment Name:	Trask River
Segment Description:	Confluence of the North Fork Trask River and South Fork Trask River downstream to Tillamook Bay
Total Segment Length:	19.46 miles
Length on BLM Land:	0.42 miles
Total Segment Area:	6,026.59 acres
Area on BLM Land:	444.13 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreation
Description of ORVs:	The eligibility determination for the Trask River segment was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Fish, Wildlife, and Recreation ORVs.

Trask River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Trask River drains a mountainous timber-producing area of the Northern Oregon Coast Range west of Tillamook. The Trask River is formed by the confluence of North Fork Trask River and South Fork Trask River before flowing into Tillamook Bay on the Pacific Ocean.

Outstandingly Remarkable Values

Recreation: The Trask River has been a tourist and recreational destination since the turn of the 20th century. Hiking, sport fishing, wildlife viewing, kayaking, mountain biking, horse riding, and picnicking are popular recreational activities. Most recreational activity is seasonal, with the majority of activity in the spring, summer, and fall. Kayaking is popular in the spring and fall, and picnicking and swimming are common in the summer.

Fishing is one of the dominant activities in the river corridor. Guidebooks and user input indicate that the Trask offers fishing opportunities that are slightly lower quality than adjacent North Coast fisheries. However, opportunities on the river are still of high enough quality to draw visitors from outside the region. Therefore, it has been determined that recreation is an outstandingly remarkable value.

Other River Values and Characteristics

Ecology/Botany: The botanical value of this river corridor is outstandingly remarkable, because of the presence of *Dodecatheon austrofrigidum* (frigid shooting star) and *Filipendula occidentalis* (queen of the forest), both of which are dependent on the riverbank habitats. *Dodecatheon austrofrigidum* is endemic to northwestern Oregon and ranked as imperiled at the state, national and global levels. Less is known about *Filipendula occidentalis* (queen of the forest) but it has a similar set of state, national, global rankings. The Oregon Biodiversity Information Center (ORBIC) determined both of these species are threatened with extinction throughout their range.

Fish: The status of Oregon Coast coho Salmon is "Threatened" under the Endangered Species Act, in addition steelhead is a Bureau Sensitive Species. Both species spawn and rear in this segment of the Trask River. Both a fall and spring run of Chinook are present in the Trask River in this segment. Habitat (water quality) specifically temperature in summer exceeded criteria for extended periods during the four years data was collected (DEQ, Water Quality Status and Action Plan North Coast Basin 2011) this has potential to influence fish resources. Comparing this stream segment to others on the North Oregon Coast does not raise it to an outstanding status for fish.

Wildlife: Populations of indigenous wildlife species found within the river corridor are not of regional or national importance and overall wildlife habitat is only fair. No threatened or endangered wildlife species are known to inhabit the river corridor. The wildlife resource of this river corridor is therefore judged to be of less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

River Setting- Access and Development: Along the 19.4 mile Trask River, approximately five transportation bridges cross the river and one railroad crossing. Bridges appear to span the full width of the river. The Trask River road parallels the river's eastern section to Tillamook with roads winding around the river. Access to the river is legal where Federal or State lands border the river, which is under 20%. Access to about 80% of the riverbed may be restricted by private land ownership. The western half of the river has a rural to urban character. Developments lie along the river corridor, including farms, homes, agricultural and business developments. The only community in the river corridor is Tillamook. The urban setting is characterized by a substantially urbanized environment, although the background may have natural-appealing elements. High levels of human activity and concentrated development, including recreation opportunities are prevalent. Developed sites, roads and other recreation opportunities are designed for high use. Recreation sites near Tillamook City limits include Stones Rd. Boat Launch and the Peninsula Day-Use Area. In the Rural setting, the area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. The eastern half of the corridor is a forest rural setting with occasional home sites and clearings along the river. The backdrop of this area is managed forest, primarily state owned. It is considered Roaded Natural where the landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. The entire river segment is free flowing, with the possible exception of support piers for bridges.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 19.46 mile segment is a combination of Federal (BLM), private, State, and Water lands (Table 85). Two BLM parcels cross the riverbed for ownership on both sides, but do not span the full ½-mile corridor. Ten additional BLM parcels lie within the corridor but do not border the riverbed. There are 12 total parcels, which total 444.13 acres (7.4 percent) within the river corridor. The BLM manages 0.42 miles (2.2 percent) of shoreline.

Table 85. Land Ownership within the Trask River corridor.

Ownership	Acres	Percentage
BLM	444.13	7.4%
Private	4,506.22	74.7%
Private Industry	436.78	7.3%
State	638.15	10.6%

Land ownership in the surrounding Trask watershed is divided among private landowners, and local, state, and Federal agencies. Over half of the watershed is owned by the State of Oregon. The vast majority of the Trask river area is utilized for forest production (91%). The area has supported profitable timber harvest and wood products industries since the 1880s.Within the watershed, agricultural use is the next largest zoning category.

The Oregon State Water Resources Department records 61 water rights and 68 points of diversion on the 19-mile Trask River segment from Trask River to Tillamook Bay as of June 1, 2013. Table 86 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 86. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Irrigation	5	5	2.4327	
	Municipal Uses	3	4	4.7	
Storage	Fish and Wildlife	3	3		4.0
Surface Water	Anadromous and Resident Fish Rearing	1	1	157.0	
	Domestic	5	6	0.03	
	Domestic Expanded	7	8	0.065	
	Domestic Including Lawn and Garden	6	6	0.055	
	Fish Culture	1	1	9.0	
	Irrigation	27	28	11.605	
	Livestock	2	2	0.015	
	Municipal Uses	1	1	1.0	
	Supporting Aquatic Life	3	3	355.0	
			Totals	**540.9**	**4.0**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated, through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation
WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management

practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR Act Section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Trask River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

At this time, it is not expected that state or local agencies would share in the costs of river administration.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Tillamook County has designated the Trask River corridor as follows:

- Farm Zone (F-1) 48%. This zoning lies primarily on the western end of the river. Tillamook County adopted the Farm zone. Currently, it does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
- Forest Zone (F) 39%. This zoning occurs primarily on the eastern end of the river. Tillamook County adopted Forest Zone (F). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
- Rural Residential (RR) 5%. A dozen parcels are spread along the entire river corridor. The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm
- Estuary Zone 5%. This zone occurs on the western end of the river leading into Tillamook Bay. General priorities include:
    a) Uses which maintain the integrity of the estuarine ecosystem.
    b) Water-dependent uses requiring an estuarine location, as consistent with the overall Oregon Estuarine Classification.

c) Water-related uses, which do not degrade or reduce the natural estuarine resources and values.
d) Non-dependent, non-related uses, which do not alter, reduce or degrade the estuarine resources and values. (http://www.co.tillamook.or.us/gov/comdev/planning/luo.htm)

- Small Farm and Woodlot (SWF-20) 2% A few small zones are located near the center and eastern end of the river corridor. Tillamook County adopted SWF-20. Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
- Small Farm and Woodlot (SWF-10) <1% Two small zones lies near the center of the river. The purpose of the SFW-10 zone is to permit small-scale farms and large acreage rural residential homesites on land that has potential for small-scale farm or forest uses, but because of limitations, it is impractical for the Farm or Forest zone. It also provides a buffer between non-resource uses and lands that are managed for farm or forest uses, thereby assuring that the conversion of such lands to higher density uses occurs, in an orderly and economical manner. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations

involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the Trask River were supportive of access for fishing and hunting activities, but did not clearly state a position of WSR designation. Four comments were submitted specific to this river segment.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry. The Tillamook State Forest manages 10.6% of the eligible river segment. Like all State Forests, ODF is charged by the Oregon Administrative Rules.

The Oregon Department of Forestry (ODF) manages 638 acres within the Trask River corridor in the Tillamook State Forest. ODF is directed to manage State lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act (ESA) and the Clean Water Act (CWA) are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent landowners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited." These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated this segment as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

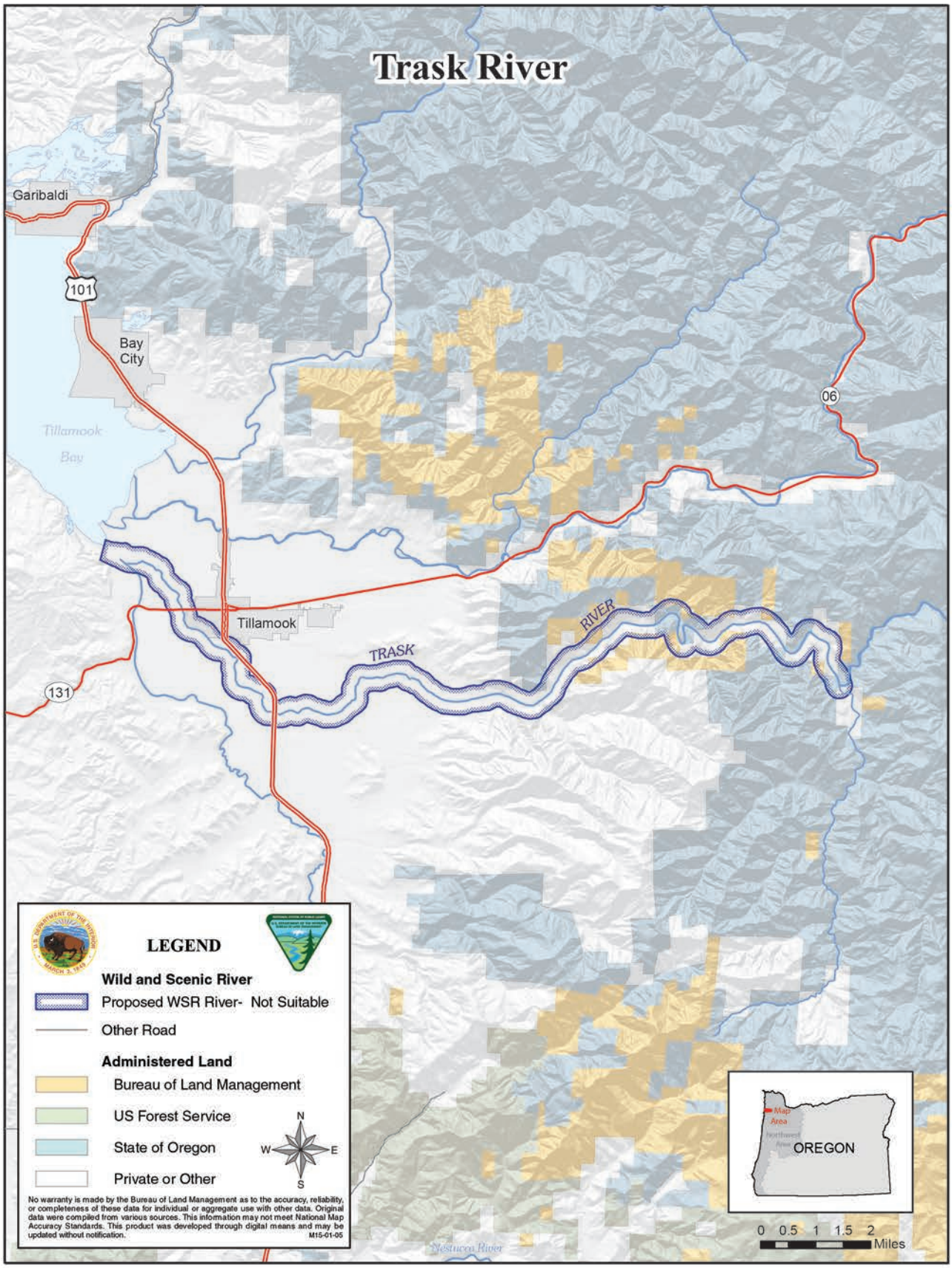
There is no designated Wild and Scenic Rivers within the Trask River watershed nor have there been any legislative proposals for additional Federal protection of the Trask River or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Trask River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Trask River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality, and outstandingly remarkable recreation values.


Trask River
Garibaldi
101
Bay City
Tillamook Bay
06
Tillamook
TRASK
RIVER
131
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
Private or Other
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W
E
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05
Map Area
OREGON
0 0.5 1 1.5 2
Miles
Nestucca River

Tualatin River Wild and Scenic River Suitability Determination

Table 87. Tualatin River Wild and Scenic River suitability.

Segment Name:	**Tualatin River**
Segment Description:	Confluence of Sunday Creek to confluence with Willamette River
Total Segment Length:	80.42 miles
Length on BLM Land:	1.22 miles
Total Segment Area:	21,022.69 acres
Area on BLM Land:	326.24 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Cultural
Description of ORVs:	The eligibility determination for this segment of Fall Creek was made during the BLMs 1990 land use planning study. In the 1990 eligibility assessment, cultural resources were rated as an Outstandingly Remarkable Value (ORV).

Tualatin River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

Outstandingly Remarkable Values

Cultural: Approximately 25 cultural sites are currently recorded within the river corridor. A National Register of Historic Places eligibility has not been completed on any of the sites at this time.

Other River Values and Characteristics

Recreation: The recreational value of the Tualatin River is rated as good in the Pacific Northwest Rivers Study DataBase (PNWRSD). Upon further evaluation using BLM eligibility guidelines, the determination has been made that no recreational activity or combination of activities is of such exceptional quality that visitors would be expected to travel from outside the region to participate. The overall recreational value of this river segment is therefore judged less than outstandingly remarkable.

Fisheries: The fisheries resource of this river segment is judged to be of less than outstandingly remarkable value. The production rates of fall Chinook salmon, coho salmon, winter steelhead, and resident trout are all poor relative to other rivers in the region. Warm-water game fish production is good, but not outstanding. Habitat for all of the above fish species, with the exception of warm-water game fish, is poor. In addition, no threatened or endangered fish species are known to inhabit this river segment.

Wildlife: Wildlife habitat and production within the river corridor is less than outstanding for all species present. No regionally or nationally important population of indigenous wildlife species, or threatened or endangered wildlife species are known to inhabit the river corridor. The wildlife resource of this river segment is therefore judged less than outstandingly remarkable value. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Botany: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and (ORNHIC).

Scenic: The scenic quality of this segment has received a "C" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

River Setting- Access and Development: Along the 80 mile Tualatin River, approximately 22 transportation bridges, 1 rail road, and one bicycle/pedestrian bridge cross the river. Larger highway bridges may have pier supports in the waterway. On the west end of the river corridor, there is no vehicular access or roadway for over two miles eastward from Sunday Creek. Between Hillsboro Reservoir and Gaston, an access road parallels the river for just more than half the way. The western 5-mile segment lies within a forested, Roaded Natural setting. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. There is evidence of adjacent timber harvests, but most all would be in the background. Farther downstream, the river transitions to rural environments with land clearings and agricultural developments beginning with unincorporated residences about five miles west of Gaston. After that, the river meanders through private farmlands and no roads follow the river closely for more than two miles. This Rural setting is an area characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. Some locations along the river are intact with a riparian area, but not all. Many locations along the river have been cleared to the water's edge.

Major bridge crossings occur at County, State, and Federal Highways 47, 219, 10, 210, 99W, I-5 and I-205. Legal access to the river's edge is rarely legal due to private lands. Exceptions include a few sites where a County, City, State Park or Federal lands provide access to the river's edge. These developed parks include: Steamboat City Park (Cornelius), Rood Bridge Park (Hillsboro), Cook Park (Durham), Tualatin County Park, River Greenway Paths, Browns Ferry Park (River Groove), Lloyd Minor Park, (River Grove), River Grove city Park (River Grove), Jurgen's Park, Cana Acres Nature Park (River Grove), River Run City Park (River Grove), Fields Bridge Park (sports complex), and Willamette Park. Communities or cities that lie within the ½-mile river corridor include Gaston, Cornelius, Hillsboro, Orenco, Scholl, King City, Durham, Tualatin, River Grove, Childs, Stafford, and Willamette. Within these cities limits, the setting is urban with developments that contrast against river's natural setting. This area is characterized by a substantially urbanized environment.

High levels of human activity and concentrated development, including recreation opportunities are prevalent. Developed sites, roads and other recreation opportunities are designed for high use. A large number developments exist within the river corridor including: reservoirs, water treatment plants, agricultural farmlands, tree farms, nurseries, golf courses (one spanning 2.3 miles of river front), wastewater treatment facilities, alpaca farm, RV parks, assisted living centers, airparks, stores, commercial businesses, restaurants, large shopping centers, major transportation developments, and numerous residential neighborhoods and subdivisions of homes. The urban alterations along the river corridor are highly noticeable. Overall, most of the mileage along the river corridor is rural interface. Two small diversions span the river and may create an obstacle to water flow. The largest is by I-205 near the confluence with the Willamette R. The river segment is not considered free flowing due small river diversions and bridge supports within the river.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 80.42-mile segment is a combination of Federal (BLM), private, County, State, and Fish and Wildlife Service lands (Table 88). One BLM parcel at the far western end of the river segment crosses the riverbed for ownership on both sides. One additional section lies within the corridor but does not border the riverbed. There are two total BLM parcels. BLM manages 326.24 acres (1.6 percent) within the river corridor. The BLM manages 1.22 miles (1.5 percent) of shoreline along this segment.

Table 88. Land ownership within the Tualatin River corridor.

Ownership	Acres	Percentage
BLM	326.24	1.6%
US Fish and Wildlife Service	615.16	3.0%
Local Government	533.51	2.5%
Private	18,993.02	90.3%
Private Non-Industry	419.16	2.0%
State	135.6	0.6%

The Oregon State Water Resources Department records 502 water rights and 723 points of diversion on the 80-mile Tualatin River segment. Run date is June 1. Table 89 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights

Table 89. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Agriculture Uses	2	3		
	Air Conditioning or Heating	1	1	0.67	
	Domestic	1	1	0.0007	
	Greenhouse	3	3	0.2913	
	Group Domestic	1	1	0.04	
	Industrial/Manufacturing Uses	4	6	0.716	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
	Irrigation	67	83	10.4215	
	Livestock	1	1	0.0557	
	Municipal Uses	2	4	4.0	
	Nursery Uses	19	32	14.196	
	Primary and Supplemental Irrigation	1	1	0.02	
	Wildlife	1	1	0.022	
Storage	Aesthetics	1	1		
	Fish and Wildlife	2	2		100.0
	Fish Culture	1	1		
	Livestock	1	1		4.8
	Recreation	1	1		
	Storage	8	10		62.05
	Wildlife	6	8		112.6
Surface Water	Aesthetics	2	2	0.01	6.3
	Agriculture Uses	4	4	4.1925	
	Domestic	8	8	0.29	
	Domestic and Livestock	2	2	0.0425	
	Domestic Expanded	2	2	0.015	
	Fire Protection	2	2	1.0	
	Fish Culture	3	4	0.06	
	Greenhouse	2	2	0.2562	
	Industrial/Manufacturing Uses	1	1	0.557	
	Instream Uses	2	4	13.2	
	Irrigation	341	398	132.5437	768.68
	Livestock	8	10	0.0957	
	Municipal Uses	10	16	111.9095	
	Nursery Uses	6	10	6.1888	36.0
	Pollution Abatement (Instream)	4	4	230.0	
	Pond Maintenance	2	2	3.44	
	Primary and Supplemental Irrigation	4	23	28.16	
	Recreation	1	1		
	Storage	1	5		16.87
	Supporting Aquatic Life and Minimizing Pollution	2	2	40.0	
	Temperature Control	1	3	0.0074	
	Wildlife	1	1	0.1	
			Totals	**602.5**	**1,107.3**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Foreclosed by Designation

Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation

There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Tualatin River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Based on the urban nature of the river segment and limited BLM ownership, it expected that the BLM would propose sharing the costs of administration with state and local agencies. Potential agencies include but are not limited to the state of Oregon, Washington County, and the Metro Regional Government.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would

be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

The Tualatin River National Wildlife Refuge (NWR) is a 1,358 acre wetlands and lowlands sanctuary in the northwestern part of the U.S. state of Oregon. Established in 1992 and opened to the public in 2006, it is managed by the United States Fish and Wildlife Service. Located in southeastern Washington County, 15 mi southwest of Portland, the refuge is bordered by Sherwood, Tualatin, and Tigard. A newer area, extending into northern Yamhill County, is located further west near the city of Gaston surrounding the former Wapato Lake.

Part of the network of NWRs, the Tualatin River Refuge is one of only ten urban refuges in the United States. Habitats in the refuge include forested areas, wetlands, oak and pine grassland, and meadows, with mixed deciduous and coniferous forests common to Western Oregon. Tualatin River Refuge was established as an urban refuge to provide wetland, riparian, and upland habitats for a variety of migratory birds, threatened and endangered species, fish, and other resident wildlife. The refuge is home to nearly 200 bird species and more than 70 other animal species. A visitor center with exhibits and information about the refuge was opened in 2008 off Oregon Route 99W near Sherwood in the Portland metropolitan area. Next to the center are the refuge's headquarters and an observation deck overlooking seasonal ponds. The refuge has nearly five miles of wildlife interpretive trails open to the public. Up to 50,000 waterfowl can be seen at the refuge during the winter months when officials flood portions of the refuge.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Tualatin River lies within Washington (90%), Clackamas (9.5%), and Yamhill Counties (<1%). (Percentages are approximate)

Washington County has designated Land Use Divisions along the Tualatin River corridor as:

- Exclusive Farm Use (EFU) (80%)
- Urban (7%)
- Exclusive Forest and Conservation (EFC) (6%)
- Agriculture and Forest-5 (3%)
- Agriculture and Forest-10 (2%)
- Agriculture and Forest-20 (1%)
- Rural Residential-5 (>1%)

The eastern two-thirds of the river study area are primarily zoned as EFU while the western end has the smaller 6% of EFC.

EFU contains most rural residences and croplands. It is intended to preserve and maintain commercial agricultural land for farm use consistent with existing and future needs for agricultural products, forests, and open spaces. This designation prohibits uses of lands that are not compatible with farm uses and agricultural land. Applications for most uses, including dwellings, are reviewed for compatibility with the Plan designation. No minimum lot size requirements for land divisions, however there are specific review standards for the creation of new parcels.

EFC is intended to provide for forest uses and the continued use of lands for renewable forest resource production, retention of water resources, recreation, and other related or compatible uses. This designation prohibits uses of land that are not compatible with the management and development of forest resources. In most cases, new lots must be a minimum of 80 acres.

The Urban areas are high residential, commercial, and industrial areas within the city limits of King City, Tigard, Durham and Tualatin on the easternmost end of the river, and Forest Grove, Gaston, Cornelius and Hillsboro near the center of the Tualatin River. Further breakdowns for urban zoning have not been done at this time. See: http://www.co.washington.or.us/LUT/Divisions/LongRangePlanning/rnrp-maps.cfm

Clackamas County has designated the Tualatin River corridor as:

- Rivergrove and West Linn (32%)
- Rural Commercial (24%)
- Rural/Residential/Farm/Forest 5 acre (24%)
- Farm Forest 10 acre (14%)
- Exclusive Farm Use (4%)
- Timber District (1%)
- Future Urban (<1%)
- Urban within city limits of Tualatin (<1%)

This river runs through city boundaries and does not break down urban zones. District purposes and primary uses are listed at: http://www.clackamas.us/planning/zdo.html

Yamhill County has no more than 300 acres of the Tualatin River corridor. Its county zoning is Agricultural/Forestry with Large Holding (60%) and Exclusive Farm Use (40%). Percentages are approximate.

The purpose of the Agriculture/Forestry district is to protect lands designated lands that are a mixture of agricultural and forest management operations, and other compatible uses. Uses of land and water which do not provide for a sustained production of crops, livestock and forest products or for the proper conservation of soil and water resources and fish and wildlife habitat shall be limited or prohibited.

The purpose of the Exclusive Farm Use District is to identify and protect land that is suitable and desirable for commercial agricultural operations and other uses, which are compatible with such operations. Properties in the Exclusive Farm District are primarily large, contiguous relatively flat terrace, valley-floor or low foothill holdings. In Exclusive Farm Use Districts, nonfarm residential and other development, which might likely be affected by normal farm management practices, will be limited or prohibited to maximize the productivity potential of vicinity farmlands. Further online descriptions of zoning: http://www.co.yamhill.or.us/plan/planning/ordinance/zoning_toc.asp

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations

involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

No comments were submitted specific to the Tualatin River.

Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry (ODF) manages 136 acres (0.6%) within the Tualatin River corridor in the Tillamook State Forest. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

A small percentage of lands along the Tualatin River corridor are managed by local, state and Federal agencies (less 9.7%). There would be consistency of designation with these agencies (see Q. 2), however, the majority of land ownership along the river consists of private industrial and private land holdings (90.3%). Current uses and private management practices would not be consistent with management

prescriptions for a Wild and Scenic River designation due to the development and uses summarized in Criteria 1.

The U.S. Fish and Wildlife Service (Service) manages 615 acres (3%) within the Tualatin River corridor. Their mission is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service indicates their willingness to collaborate in a suitability study, which may result in designation as a Wild and Scenic River. Joint efforts would result in consistent management decisions and program development. If the river merits designation, the Service would support study and designation on the condition that management prescriptions do not conflict with their goals and policies.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include: Maintain riparian buffers and minimize impacts from road building on public lands. Maintain channel integrity and natural hydrology; Continue efforts to understand historical range of channel stability and function. Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas. Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and

communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited" These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated this segment as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

There is no designated Wild and Scenic Rivers within the Tualatin River watershed nor have there been any legislative proposals for additional Federal protection of the Tualatin River or its tributaries.

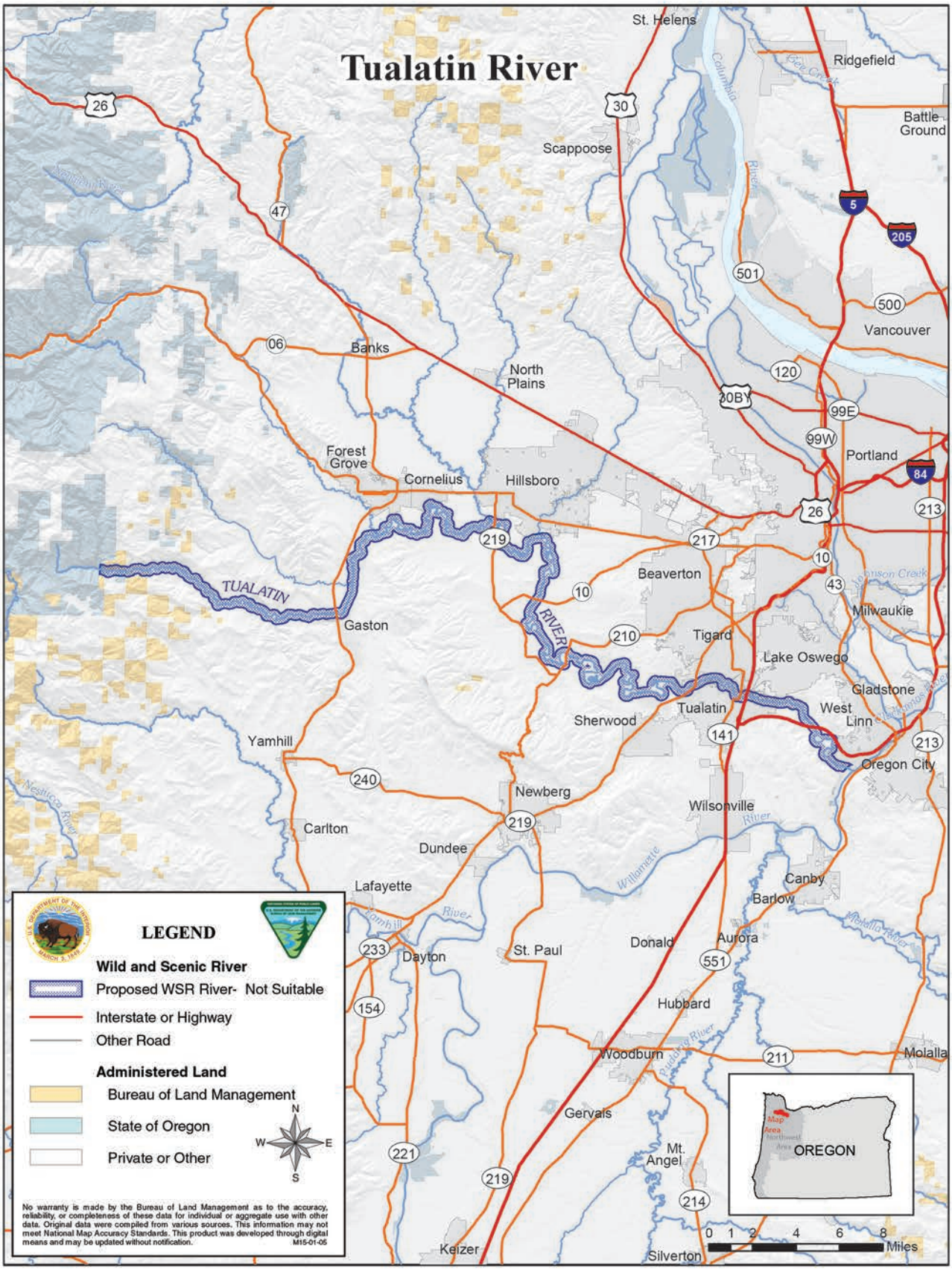
Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Tualatin River Suitability Determination

During this suitability analysis, it was determined that the cultural resources along the Tualatin River no longer met the threshold for an outstandingly remarkable value. This segment has cultural sites recorded within the corridor, and because of the large number of sites it appears likely that one or more sites may be outstandingly remarkable. However, none of these sites are located on BLM-administered lands, and as a result, the overall value for this resource is rated as less than outstanding.

Since cultural resources are no longer an Outstandingly Remarkable Values, the BLM has determined that this river segment is **non-suitable for inclusion** into the National Wild and Scenic Rivers System.


Tualatin River
St. Helens
Ridgefield
Battle Ground
Scappoose
Vancouver
Banks
North Plains
Forest Grove
Cornelius
Hillsboro
Portland
Beaverton
Milwaukie
Gaston
Tigard
Lake Oswego
Gladstone
Tualatin
West Linn
Sherwood
Yamhill
Oregon City
Newberg
Wilsonville
Carlton
Dundee
Lafayette
Canby
Barlow
Dayton
St. Paul
Donald
Aurora
Hubbard
Woodburn
Molalla
Gervais
Mt. Angel
Keizer
Silverton
TUALATIN
RIVER
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
State of Oregon
Private or Other
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05
OREGON
0 1 2 4 6 8 Miles

Willamette River Wild and Scenic River Suitability Determination

Table 90. Willamette River Wild and Scenic River suitability.

Segment Name:	**Willamette River**
Segment Description:	Middle Fork Willamette River confluence to the Columbia River
Total Segment Length:	161.26 miles
Length on BLM Land:	1.13 miles
Total Segment Area:	51,275.23 acres
Area on BLM Land:	82.87 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreational, Fish and Wildlife, Historical, Cultural, Other: Ecology
Description of ORVs:	The eligibility determination for the Willamette River was made during the BLM's 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the cultural, ecology, fisheries, recreation, and wildlife ORVs for the Willamette River.

Willamette River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Willamette River is a major tributary of the Columbia River, accounting for up to 15 percent of the Columbia's flow. The Willamette's main stem is 187 miles long, lying entirely in northwestern Oregon in the United States. The river and its principal tributaries drain 11,478 square miles. Significant tributaries of the Willamette include the Middle and Coast forks and the McKenzie, Long Tom, Mary's, Calapooia, Santiam, Luckiamute, Yamhill, Molalla, Tualatin, and Clackamas rivers. Flowing northward between the Oregon Coast Range and the Cascade Range, the river and its tributaries form the Willamette Valley, a basin that contains two-thirds of Oregon's population, including the state capital, Salem, and the state's largest city, Portland.

The Willamette Falls is a natural waterfall on the Willamette River between Oregon City and West Linn, Oregon, in the United States. It is the largest waterfall in the Pacific Northwest and the eighteenth largest in the world by water volume. Horseshoe in shape, it is 1500 ft wide and 40 ft high with a flow of 30,849 cu ft/s. Located 26 mi upriver from the Willamette's mouth, a canal and set of locks allow vessels to pass into the main Willamette Valley.

The Willamette Valley is one of the most fertile agricultural regions in North America, rich with sediments deposited by flooding and fed by prolific rainfall on the western side of the Cascades. It was

the destination of many 19th-century pioneers traveling west along the Oregon Trail and an important transportation route during this time, although Willamette Falls, just upstream from Portland, was a major barrier to boat traffic. In the 21st century, major highways follow the river and roads cross it on more than 50 bridges. (32 were observed, mile by mile, on Google Earth, 2013)

With an average flow at the mouth of about 37,400 cubic feet per second, the Willamette ranks 19th in volume among rivers in the United States and contributes 12 to 15 percent of the total flow of the Columbia River. The Willamette River drains a region of 11,478 square miles, which is 12 percent of the total area of Oregon.

About 2.5 million people lived in the Willamette River basin as of 2010, approximately 65 percent of the population of Oregon. As of 2009, the basin contained 20 of the 25 most populous cities in Oregon. These cities include Springfield, Eugene, Corvallis, Albany, Salem, Keizer, Newberg, Oregon City, West Linn, Milwaukie, Lake Oswego, and Portland. The largest is Portland, with more than 500,000 residents. Sixty-eight percent of the watershed is forested; agriculture, concentrated in the Willamette Valley, makes up 19 percent, and urban areas cover 5 percent. More than 81,000 miles of roads crisscross the watershed.

The Willamette River is influenced by the Columbia Slough, up to a mile within the Willamette's confluence with the Columbia. The Columbia Slough is a remnant of the historic wetlands between the mouths of the Sandy River to the east and the Willamette River to the west. Levees surround much of the main slough as well as many side sloughs, detached sloughs, and nearby lakes. Drainage district employees control water flows with pumps and floodgates. Tidal fluctuations cause reverse flow on the lower slough. Used as a waste repository during the first half of the 20th century and cut off from the Columbia River by levees, the slough became one of Oregon's most polluted waterways. Early attempts to mitigate the pollution, which included raw sewage and industrial waste, were unsuccessful. However, in 1952, Portland began sewage treatment, and over the next six decades the Federal Clean Water Act and similar legislation mandated further cleanup. Five percent of Oregon's population, about 158,000 people, lives in the slough watershed.

By the early 20th century, major river-control projects had begun to take place. Levees were constructed along the river in most urban areas, and Portland built concrete "seawalls" to protect its downtown sector. In the following decades, many large dams were built on Cascade Range tributaries of the Willamette. The Army Corps of Engineers operates 13 such dams, which affect flows from about 40 percent of the basin. Most of them do not have fish ladders.

Outstandingly Remarkable Values

Recreation: The recreational value of the Willamette River is rated as outstanding for power boating, sail boarding, salmon/steelhead fishing, and warm-water sport fishing. Numerous local and state recreational facilities as well as undeveloped green space provide public access along this river segment. The river serves as a key recreation asset in numerous Willamette Valley communities including Eugene, Corvallis, Albany, Salem, Newberg, Wilsonville, and Oregon City. Many visitors from within and outside the region are attracted to this segment to participate in the above mentioned activities making it one of the most intensively used recreational rivers in the state. The Willamette River Water Trail guide, a multi-

agency effort, was developed to enhance the boating experience on the river and provide river- based visitor information. Due to the popularity of the river segment and its draw for visitors from outside the region, the recreational value of this river segment has been determined to be an outstandingly remarkable value.

Fisheries: The fisheries resource of this river segment is judged to be of outstandingly remarkable value. This river provides an extremely important migration route for spring Chinook salmon (listed as Threatened under the Endangered Species Act), winter steelhead, and hatchery-maintained runs of summer steelhead. An introduced population of Coho salmon also migrates through this segment. No spawning habitat is present for the above mentioned species, but the Willamette River provides important rearing habitat for spring Chinook salmon. Upper Willamette River (UWR) spring Chinook and UWR winter steelhead are listed as threatened under the ESA. Hatchery runs of summer steelhead were established to mitigate for impacts of upstream dams and reservoirs to native stocks of steelhead. Because of the large numbers of Chinook salmon and steelhead that migrate through this segment, the overall fisheries value is rated as outstanding.

Wildlife: This river corridor provides extremely important riparian habitat due to its central location in a highly altered landscape. The wildlife resource of this river segment is therefore judged to be of outstandingly remarkable value. The river provides extensive habitat for waterfowl and other riparian wildlife, and is regarded as one of the most important riparian areas in the state. The basin supports 18 species of amphibians, such as the Pacific giant salamander and Foothill Yellow-legged frog. Beaver, river otter, and several bat species are among 69 mammal species living in the watershed, also frequented by 154 bird species, such as the American Dipper, Osprey, Bald Eagle, Great Blue Heron, Sandhill Crane, and Harlequin Duck. Northwestern Pond Turtles are among the 15 species of reptiles found in the basin. Species diversity is greatest along the lower river and its tributaries.

The Willamette River that includes the reach being evaluated for Wild and Scenic River designation has been identified as a Conservation Opportunity Area in the Oregon Conservation Strategy numbered as WV03. The following information has been gleaned from that strategy:

This area spans almost the entire length of the ecoregion encompassing the floodplain of the Willamette River from south of Springfield to the confluence with the Columbia River.

Restoration of the Willamette floodplain has important implications not only for wildlife habitats, but also for the social and economic factors resulting from restoring ecological function such as flood control and improvement of water quality. This broadly defined area includes a number of important sites for wildlife including many river confluences, Ankeny Wildlife Refuge, and Willamette Mission State Park.
There are many restoration opportunities in this area, and many willing partners including the Willamette Conservation Network (formerly Willamette Restoration Initiative), ODFW, Defenders of Wildlife, The Nature Conservancy, USFWS, and others. The McKenzie River Trust purchased most of the 1,300-acre Green Island, a key floodplain site at the confluence of the McKenzie and Willamette Rivers in 2003. It is planning for large-scale habitat restoration involving multiple public and private partners. Oregon Parks and Recreation Department owns and manages significant portions of the floodplain as part of its

Willamette Greenway network of properties. Floodplain wetlands provide valuable habitat for large numbers of wintering waterfowl.

The section from the McKenzie River north to the Calapooia River has the greatest potential to return natural river functions along the mainstem Willamette. This extensive reach supports the greatest aquatic biodiversity, with actively moving channels and extensive floodplain and forests. This reach has the largest acreage of hydric soils that could be potentially restored to high quality wetland and riparian habitats. It also holds significant value for numerous rare and endangered species including nesting bald eagles, western pond turtles, and red-legged frogs, and provides important seasonal habitat for salmon and steelhead. Key species identified include Foothill Yellow-legged frog, Northern Red-legged frog, riparian birds, Coho Salmon, Fall Chinook Salmon, Oregon Chub, Winter Steelhead, and Northwestern Pond Turtle.

Ecological/Botanical: The natural value of this river segment is rated as outstanding in the PNWRSD because of the presence of numerous plant species of special interest. Thin-leaved peavine (Lathyrus holochlorus), White rock larkspur (Delphinium leucophaeum), and Oregon sullivantia (Sullivantia oregana) are all rare plant species known to occur in river associated habitat within the corridor. All three of these species are listed endangered by the Oregon Department of Agriculture and have List 1 status from the Oregon Biodiversity Information Center. List 1 includes species threatened with extinction or presumed to be extinct through their entire range. The peavine and larkspur have been observed in recent years, but the sullivantia hasn't been relocated since 1976. Historically, Federal endangered species, Bradshaw's lomatium (Lomatium bradshawii) and Federal threatened species, water howellia (Howellia aquatilis) occupied sites associated with the river. These listed species have not been relocated in more than two decades. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC). This river segment is judged outstandingly remarkable because the river corridor provides exceptional habitat for Federal and state listed endangered and threatened botanical species are known to occur along the river.

Cultural: There are no known recorded sites are on BLM lands within the river corridor. Approximately twenty cultural sites and many historical sites are currently recorded within the corridor of this river segment on non-BLM land. Many of these sites are listed in the National Register of Historic Places and are regarded as outstanding. The cultural and historic values of this river segment are therefore judged to be outstandingly remarkable.

Scenic: The scenic quality of this segment of the Willamette River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

River Setting- Access and Development: Willamette River Access and Development: Along the 161.26 mile Willamette River, a minimum of 31 concrete or steel transportation bridges, 9 railroad crossings, and 5 pedestrian bridges cross the riverbed. The larger highway bridges may have pier supports within the waterway. At the confluence with the Columbia, the Willamette River is a major portal for commerce and transportation. This urbanized setting area is characterized by a substantially urbanized environment. High levels of human activity and concentrated development, including recreation opportunities are

prevalent. Developed sites, roads and other recreation opportunities are designed for high use. On this northern end, the setting is urban with major alterations to the shoreline, large developments within the ½ mile corridor include large docks, piers, ships and harbors, cranes for unloading, POD container yards, river airstrips, storage for oil, gas and autos, side channel reservoirs, water treatment plants, agricultural crops and farmlands, tree farms, nurseries, golf courses, wastewater treatment facilities, quarries, powerlines, boat ramps, sports complexes, commercial businesses, restaurants, shopping centers, major transportation developments (I-5 interchanges), and many large residential neighborhoods and subdivisions. There are also thousands of individual, private boat docks that dot the shorelines (primarily along the major cities). House boats are numerous by the hundreds near private residences along the river. A significant river diversion crosses half the river and creates a water diversion at Moore's /Abernathy Islands near Oregon City. In addition, the Willamette Falls dam is located upstream of the I-5 bridge in Eugene. It is a weir-type structure that diverts water into the headraces of the adjacent mills and a power plant. The locks at Willamette Falls have operated since 1873. (still in operation???) Other waterway diversions lead to ponds and dead ends, or treatment facilities, in about 10 locations. Along its course, at least 72 recreation developments have been developed. All of these influences can be seen from the river, especially in the urban locations. Access through the river corridor in the urban setting of this and other cities along its course is supported by numerous paved highways. Not many of these give access down to the river banks. Interstate 5 and U.S. Route 99 are the two major highways that follow the river for its entire length. Communities and cities that lie within the ½ mile river corridor include: Portland, Milwaukie, Lake Oswego, Oak Grove, Jennings Lodge, Gladstone, West Linn, Oregon City, Tualatin, Canby, Wilsonville, Butteville, Newberg, Dundee, Keizer, Salem, Eola, Independence, Millersburg, Albany, Corvallis, Harrisburg, Eugene, Springfield. Developments in these locations create a stark contrast against river's natural setting, but are nonetheless augmented by its splendor.

Moving out of the urban areas are miles of rural and agricultural settings. The Rural area is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. Rural areas with predominantly private farmlands have less public access to the river and fewer roads that parallel the river. Exceptions occur at over 70 sites where a County, City, or State Parks border the river. Most of the mileage along the river corridor outside of city limits is rural. The Willamette River is not free flowing due to river diversions and bridge supports within the river.

On February 23, 2006, the Portland General Electric Company (licensee) filed a revised relicensing implementation plan pursuant to Article 401(a) of the license1 for the Willamette Falls Project (# 2233-061) to the Federal Energy Regulatory Commission. The project is located on the Willamette River near the cities of West Linn and Oregon City, Clackamas County, Oregon. FERC approved a license renewal for the Willamette Falls Hydroelectric Project in 2007.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 161.26-mile segment is a combination of Federal (BLM), private, County, State, General Services Administration, State, and Water lands (Table 91). The BLM manages shoreline along 1.13 miles (0.7 percent) for this segment. Two BLM parcels lie within the river corridor; one forms an

island in the river and lies between Albany and Independence. The other is found 15 miles north of Salem. It lies within the corridor but does not border the riverbed. These constitute the 82.87 acres (0.2 percent) within the river corridor.

NOTE: The Eugene District has no lands within the study area outside of a 2.79-acre parcel managed in its entirety by the State of Oregon under a perpetual Recreation and Public Purposes (R&PP) lease as the Willamette River Greenway.

Table 91. Land Ownership within the Willamette River corridor

Ownership	Acres	Percentage
Undetermined	85.79	0.2%
BLM	82.87	0.2%
U.S. Fish and Wildlife Service	191.29	0.4%
General Services Administration	0.92	0.001%
Local Government	1,275.36	2.5%
Private	28,120.92	54.8%
Private Industry	138.82	0.3%
Private Non-Industry	7,068.10	13.8%
Private Urban Lands	1,112.49	2.1%
State	475.65	9.2%
Division of State Lands	61.26	0.1%
State Dept. of Parks and Recreation	2,545.51	5.0%
State Dept. Of Fish and Wildlife	27.04	0.05%
Water	10,114.42	19.7%

The Oregon State Water Resources Department has recorded 1,670 water rights and 2,331 points of diversion on the Willamette River with a run date of June 1. Table 92 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 92. Water right types, uses, points of diversion and volumes

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Agriculture Uses	11	15	6.76245	
	Air Conditioning or Heating	43	45	28.0573	
	Commercial Uses	11	21	20.237	
	Domestic	5	6	1.9712	
	Domestic Expanded	3	4	0.3028	
	Domestic Including Lawn and Garden	1	1	0.13	
	Fire Protection	1	1	0.225	
	Fish Culture	5	10	8.75	
	Frost Protection	1	1	0.9	
	Geo-Thermal (Heating & Cooling)	4	8	1.33	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
	Group Domestic	2	2	0.28	
	Industrial/Manufacturing Uses	64	82	62.2678	
	Irrigation	759	915	427.20485	25.
	Irrigation and Domestic	1	2	0.4456	
	Laboratory	1	2	0.89	
	Livestock	1	1	0.005	
	Mining	1	3	3.456	
	Municipal Uses	46	63	76.0709	
	Nursery Uses	23	32	8.4379	
	Pollution Abatement	1	1	0.3814	
	Pond Maintenance	1	1	0.15	
	Primary and Supplemental Irrigation	9	28	9.88	
	Quasi-Municipal Uses	11	19	9.7683	
	Recreation	1	1	0.1	
	Temperature Control	1	1	2.22	
	Use in a Mint Still	1	1	0.1003	
Storage	Aesthetics	6	7		35.267
	Fish Culture	3	3		5.702
	Multiple Purpose	2	4		10.14
	Recreation	4	4		10.442
	Storage	14	15		68.974
	Wildlife	13	18		1,345.382
Surface Water	Aesthetics	1	1	0.15	
	Agriculture Uses	12	13	56.0734	
	Air Conditioning or Heating	1	1	1.06	
	Commercial Uses	2	7	49.76073	
	Domestic	18	21	3.4929	
	Domestic Expanded	4	4	0.14713	
	Domestic Including Lawn and Garden	3	3	0.03	
	Fire Protection	4	5	6.335	
	Fish Culture	8	10	2.66	
	Greenhouse	1	1	0.1069	
	Industrial/Manufacturing Uses	44	54	648.576	
	Instream Uses	2	2	0.28	
	Irrigation	531	692	424.19665	3,176.44
	Irrigation and Domestic	2	2	0.22	
	Livestock	7	11	0.54303	
	Mining	1	1	0.22	
	Municipal Uses	22	33	750.6696	
	Nursery Uses	10	13	14.64948	593.388
	Pond Maintenance	5	8	0.4831	

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
	Power Development	5	10	4,914.285	
	Primary and Supplemental Irrigation	9	13	10.68	607.5
	Ram	1	1		
	Recreation	5	7	116.828	
	Supporting Aquatic Life and Minimizing Pollution	1	1	2,000.0	
	Wildlife	3	4	3.165	
			Totals	**9,674.9**	**5,878.235**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced by Designation (including Outstandingly Remarkable Values)
The basic objectives of designation are to maintain the river's existing condition and protect the identified Outstandingly Remarkable Values. With designation, BLM's management presence would increase. BLM lands within this segment have been or are currently under lease for protection of open space and provision of recreational access. Planning for recreation sites and facilities would complement designation and would ensure the continued availability of recreation opportunities occurring in this river segment, including hiking and nature study.

Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Enhanced, Foreclosed, or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.

The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.

Projects such as forest management, discretionary ROW approvals, and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement, or utility construction could be limited or foreclosed based on this evaluation. Based on the scope of these types of developments on the Willamette River, it is expected that WSR designation would have a substantial effect on the types of uses that would be curtailed.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Willamette River segment was added to the National Wild and Scenic Rivers System, the BLM, Salem and Eugene Districts would be most suited to manage the land and resources within this boundary, unless Congress designated another agency. The National Park Service could also be identified as a manager of this Wild and Scenic River segment.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the Willamette River be designated, it is expected that the BLM would seek substantial assistance from state and local agencies for river administration. No detailed cost estimated was prepared as part of this study.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.

If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

There are numerous efforts and programs underway by local, State, and Federal entities that involve management of the Willamette River. If the river segment were to be designated, substantial and sustained involvement by local, State, and Federal agency partners would be required to protect river values effectively.

The Willamette River Greenway Program, established by the 1967 Oregon legislature, is a cooperative state and local government effort to maintain and enhance the scenic, recreational, historic, natural, and agricultural qualities of the Willamette River and its adjacent lands. A number of trails exist along the greenway, but significant gaps still exist. The 1973 Oregon legislature passed the Willamette River Greenway Act, which established ties to a comprehensive state land use law (Oregon Senate Bill 100)

passed that same year. In 1975, the Oregon Department of Land Conservation and Development included the Willamette River Greenway as one of nineteen standards for statewide planning, requiring that public access, native vegetation, and scenic views be considered when planning new developments.

The Willamette River Water Trail is an assemblage of properties that provide access for paddlers to the Willamette River, or afford opportunities to camp along the river. The trail also has two key guides that enable people to identify campsites, track river features, and that offer a bit of history and information on what can be found travelers use the river. The Water Trail helps enable paddlers to enjoy the Willamette River for a short trip, or a multi-day trip along the river. The Trail covers 187 miles of the mainstem Willamette River and other tributaries. The Water Trail maintains a host of opportunities to access the Willamette River including many parks and natural areas and Willamette Greenway Sites, which are administered by the Oregon Parks and Recreation Department.

Beginning in 2004, multiple partners in the Mid-Willamette Valley initiated the Water Trail Project, developing the first map that covered 35 miles. Some of the key partners included the City of Salem, the City of Keizer, the US Bureau of Land Management (American Heritage Rivers Program), the National Park Service Rivers and Trails Program, Marion County, Oregon State Parks and Recreation, and Willamette Riverkeeper. Based on collaboration and a commitment to low-impact recreation along the Willamette, there are now two maps covering more than 200 miles of river. The Oregon State Parks and Recreation Department, the National Parks Service Rivers and Trails Program, Willamette Riverkeeper and a host of other partners contribute in a variety of ways to support the Water Trail. Some Water Trail partners offer a City or County Park, while others place signage on their property to help guide people to the right camp spots.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Willamette River flows through eight Oregon counties to the Columbia River, including Lane, Linn, Benton, Marion, Polk, Clackamas, Yamhill, Multnomah Counties. Zoning was extrapolated from each county planning web site with GIS accuracy. The information is precise.

In some counties, the Willamette River is the county line on one side only: Linn, Benton, Polk, Marion, and Yamill, and for a partial distance in Clackamas and Lane Counties. Zoning on one side equates to a ¼-mile corridor. The Willamette runs a full ½ mile wide corridor in most of Clackamas and all of Multnomah Counties.

The Exclusive Farm Use/Agriculture zone is the highest designation category in all but one County (highlighted in red). In Multnomah County, the Industrial zone occupied the majority (46%) of the river's corridor. Tables 93 through 100 depict results by County: One-quarter mile buffer on each side of the Willamette River for entirety of the segment under study for each County. Zoning definitions are located in each county planning website.

Table 93. Lane County zoning

Zone	Acres	Percentage
Not identified by County GIS	2,888.00	40.38%
Exclusive Farm Use (30 Acre Minimum)	2,974.23	41.58%
Impacted Forest	43.22	0.60%
Light Industrial	2.29	0.03%
Natural Resource	49.40	0.69%
Neighborhood Commercial	2.02	0.03%
Park And Recreation	359.03	5.02%
Rural Commercial	0.28	0.00%
Rural Residential (5 Acre Minimum)	45.74	0.64%
Sand And Gravel Controlled Processing	64.13	0.90%
Sand, Gravel And Rock Products	724.32	10.13%
Totals	**7,152.65**	**100%**

Table 94. Linn County zoning

Zone	Acres	Percentage
City Zoning	1000.58	10.68%
Exclusive Farm Use	8274.39	88.30%
Industrial	13.49	0.14%
Rural Center	59.82	0.64%
Rural Residential	22.08	0.24%
Totals	**9,370.36**	**100%**

Table 95. Benton County zoning

Zone	Acres	Percentage
City of Albany	141.94	1.65%
City of Corvallis	676.09	7.84%
Exclusive Farm Use	7,701.18	89.29%
Flood Plain Agriculture	66.02	0.77%
Public	11.47	0.13%
Rural Residential - 2	1.43	0.02%
Urban Industrial	0.13	0.00%
Urban Industrial-20/PUD	17.96	0.21%
Urban Residential - 5	8.85	0.10%
Totals	**8,625.07**	**100%**

Table 96. Polk County zoning

Zone	Acres	Percentage
Agriculture	4,551.71	75.94%
City	918.19	15.32%
Public	172.27	2.87%
Rural Lands	102.52	1.71%

Zone	Acres	Percentage
Unincorporated Community Commercial	12.76	0.21%
Unincorporated Community Industrial	0.41	0.01%
Unincorporated Community Residential	80.42	1.34%
Urban Reserve	155.67	2.60%
Totals	**5,993.95**	**100%**

Table 97. Marion County zoning:

Zone	Acres	Percentage
Acreage Residential	236.43	2.62%
Acreage Residential, minimum acreage 10	2.98	0.03%
Community Commercial	0.31	0.00%
Exclusive Farm Use	8,196.10	90.72%
Public	39.95	0.44%
Special Agriculture	176.14	1.95%
Urban Transition, minimum acreage 20	366.32	4.05%
Urban Transition, minimum acreage 5	16.36	0.18%
Totals	**9,034.61**	**100%**

Table 98. Yamhill County zoning

Zone	Acres	Percentage
Agriculture/Forestry Large Holding	16.91	0.33%
Exclusive Farm Use	3,549.48	68.67%
Heavy Industrial	118.73	2.30%
Mineral Resource	485.95	9.40%
Parks-Recreation-Open Space	307.27	5.94%
Public Works/Safety	57.06	1.10%
Rural Residential	439.23	8.50%
Urban	194.10	3.76%
Totals	**5,168.73**	**100%**

Table 99. Clackamas County zoning

Zone	Acres	Percentage
Ag / Forest District	124.76	1.60%
Campus Industrial Park	71.76	0.92%
City	1,331.76	17.03%
Exclusive Farm Use	2,148.20	27.47%
Farm-Forest	11.72	0.15%
Future Urban	107.52	1.38%
General Commercial	15.94	0.20%
General Industrial	233.35	2.98%
High Density Residential	41.71	0.53%
Neighborhood Commercial	0.08	0.00%

Zone	Acres	Percentage
Open Space Management	159.89	2.04%
River	475.63	6.08%
Rural	29.45	0.38%
Rural Center	100.54	1.29%
Rural Res/Farm/Forest 5 acre	520.79	6.66%
Timber District	1,045.70	13.37%
Urban Low Density Residential	1,400.41	17.91%
Totals	**7,819.23**	**100%**

Table 100. Multnomah County zoning: One-quarter mile buffer on each side of the Willamette River for entirety of the segment under study.

Zone	Acres	Percentage
Commercial	270.32	4.70%
Industrial	2,650.76	46.13%
Mixed-Use Residential	751.99	13.09%
Mult-Family Residential	83.92	1.46%
Parks and Open Space	1,023.13	17.80%
Rural	536.38	9.33%
Single Family Residential	424.04	7.38%
Totals	**5,746.79**	**100%**

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies, and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

With development over the past century, the Willamette River witnessed increased pollution. By the late 1930s, efforts to stem the pollution led to formation of a state sanitary board to oversee modest cleanup efforts. In the 1960s, Oregon Governor Tom McCall led a push for stronger pollution controls on the Willamette. To enhance historical, natural, and recreational values along the river, the Oregon State Legislature established the Willamette Greenway program in 1967. Through it, State and local governments cooperated in creating or improving a system of parks, trails, and wildlife refuges along the river. In 1998, the Willamette was designated an American Heritage River by former U.S. President Bill Clinton. By 2007, the Greenway had grown to include more than 170 separate land parcels, including 10

state parks. Public uses of the river and land along its shores include camping, swimming, fishing, boating, hiking, bicycling, and wildlife viewing.

A 1991 agreement between the City of Portland and the State of Oregon to dramatically reduce combined sewer overflows (CSOs), led to Portland's "Big Pipe Project." The long-term project has been separating the city's sanitary sewer lines from storm-water inputs that sometimes overwhelm the combined system during heavy rains. When that occurs, some of the raw sewage in the system flows into the river instead of into the city's wastewater treatment plant. The City of Portland predicts that Big Pipe and related work will reduce CSO volume on the lower river by more than 94 percent by the end of 2011.

Due to the volume and seasonality of precipitation in its valley, the Willamette River has often flooded. In February 1996, very heavy warm rains driven by a subtropical jet stream fell on a high, water-heavy snowpack in the Willamette watershed. These conditions, similar to those that caused the 1861 flood, caused some of the costliest flooding in the river's recorded history. An Associated Press journalist wrote, "The river crested at one town after another—at Corvallis 3½ feet above flood stage, Oregon City 18 feet above, Portland 10.5 feet above—much like a meal moving through a boa constrictor." The flood was serious enough to interrupt the progress of Oregon's growing economy, but the inundated acreage was smaller than in 1964—only about 117,000 acres.

Managing the Willamette River

The care of the Willamette and Portland's celebrated quality of life is a responsibility exercised by virtue of law and custom through an intricate web of agencies and organizations. Each oversees important efforts to manage water resources or river operations, or provide for citizen education and engagement. A number include:

- City of Portland - River Bureaus and Programs
- Bureau of Planning and Sustainability - Planning oversees long-range planning, including the City's River Plan, Harbor Reinvestment Strategy, and Natural Resource Inventory. BPS also integrates efforts related to energy efficiency, renewable resources, waste reduction and recycling, global warming, green building and sustainable food systems
- Bureau of Environmental Services - Environmental Services is Portland's sewer and stormwater management utility. The bureau works for clean rivers by collecting and treating sewage, expanding and maintaining Portland's green stormwater management infrastructure, enhancing fish and wildlife habitat, and participating in the study and cleanup of the Portland Harbor Superfund site.
- Parks & Recreation - Parks is responsible for the Portland's renowned Park system (including its holdings along the Willamette River), urban forests, natural areas, pest management, and environmental education.
- Bureau of Transportation - "PBOT" manages the City's transportation system, including designing automobile, pedestrian, and bicycle access to the waterfront.
- Bureau of Development Services - Development Services promotes safety, livability, and economic vitality through efficient and collaborative application of building and development codes, including those that maintain community connection to the River.

- Portland Development Commission - "PDC" brings together resources to achieve Portland's vision of a diverse, sustainable community and focuses on small business loans, affordable housing, new retail opportunities, transit-oriented development, and waterfront revitalization.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of

Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Part of the Willamette Floodplain was established as a National Natural Landmark in 1987 (713 acres of the watershed in Benton County) and the river was named as one of 14 American Heritage Rivers in 1998.

Organizations with a Special Focus on the Willamette:

- Willamette Riverkeeper
- Willamette Partnership
- Working Waterfront Coalition
- Governor's Willamette Legacy Program
- U.S. Army Corps of Engineers (Willamette Valley Flood Control Project)
- Oregon Department of Environmental Quality (Willamette Basin information)
- Nature Conservancy (Willamette Flow Management Project)

Regional Agencies and Organizations

Metro - Metro protects open space and parks, plans for land use and transportation, and manages garbage disposal and recycling for the 3 counties and 25 cities in the greater Portland region. Metro's Nature in Neighborhoods program has inventoried natural areas and has acquired lands for open space, recreation, and natural habitat along many of the region's streams, including the Willamette.

Urban Greenspaces Institute - The Urban Greenspaces Institute works to create great cities-cities where the built and natural environments are interwoven, not set apart. We promote the integration of urban green infrastructure-parks, trails, streams and wetlands, fish and wildlife habitat, urban forest canopy, and green spaces-with the built environment.

Clean Water Services - This agency is a wastewater and storm water public utility committed to protecting water resources in Oregon's Tualatin River Watershed.

Lower Columbia River Estuary Partnership - The Partnership works to protect and restore the nationally significant lower Columbia River estuary with on-the-ground improvements and education and information programs. Its area of interest includes the Lower Willamette basin.

Port of Portland - The mission of the Port of Portland is to enhance the region's economy and quality of life by providing efficient cargo and air passenger access to national and global markets.

Soil and Water Conservation Districts - "SWCD's" are local units of government established under state law to carry out natural resource management programs at the local level. They collaborate with private and public landowners to improve watershed health and land productivity.

- East Multnomah SWCD
- West Multnomah SWCD
- Clackamas SWCD
- Tualatin SWCD

- Columbia Slough Watershed Council
- Fans of Fanno Creek
- Johnson Creek Watershed Council
- Tryon Creek Watershed Council
- Tualatin Watershed Council
- North Clackamas Urban Watersheds Council

Federal Agencies

Northwest Power Conservation Council - The Council develops and maintains a regional power plan and a fish and wildlife program to balance the Northwest's environment and energy needs. It manages a grant program that invests substantial amounts of funding in projects to improve fish and wildlife habitat.

The National Marine Fisheries Service - NMFS is dedicated to protecting and preserving the nation's living marine resources through scientific research, fisheries management, enforcement, and habitat conservation. This agency is responsible for implementing the Federal Endangered Species Act about salmon and steelhead, including those that migrate through and live in Portland.

U.S. Army Corps of Engineers - The United States Army Corps of Engineers provides water resource planning and engineering services, including maintaining navigation channels, building levees, and operating flood control dams. The Corps operates the 13 dam Willamette River Flood Control Project which not only limits flooding in many communities (including Portland), but also provides flows through the summer critical for managing pollution loads. It also has a program for dredging the Willamette River from its mouth to about the Broadway Bridge to maintain the Federal navigation channel.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the Willamette River were generally supportive of WSR designation. Six comments specific to this river segments were submitted. Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would

likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The majority of lands that lie within the river corridor are in private ownership (71%), with a smaller component of state lands (14.4%). Current uses and private management practices would likely not be consistent with management goals Wild and Scenic River designation due to the heavy development and uses. These include agriculture, flood control, industrial and residential development and water diversion.

The Oregon Watershed Enhancement Board (OWEB) established the Willamette Special Investments Partnership (SIP) in 2006. According to OWEB, the partnership seeks to improve river conditions on the Willamette by "… [b]uilding off of the extensive research and planning conducted on the Willamette River as portrayed in the Willamette Planning Atlas, the main objectives of this SIP are to: (a) re-establish channel complexity and length; and, (b) re-connect flood plains in the historic meander corridor of the Willamette River main stem and the major tributaries, wherever feasible. These objectives will restore aquatic and riparian habitats for a wide variety of species. The restoration of dynamic river processes will improve water quality and native habitats for aquatic species." WSR designation would be consistent with the objective of restoring the river's free flowing characteristics.

The US Army Corps of Engineers and other agencies are responsible for flood control with the Willamette River basin. WSR designation and associated protections under section 7 of the WSR ACT may be incompatible with flood control objectives if they would have a "direct and adverse impact" on river values.

The U.S. Fish and Wildlife Service (Service) manages 191 acres (0.4%) within the Willamette River corridor. Their mission is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people. The Service indicates their willingness to collaborate in a suitability study, which may result in designation as a Wild and Scenic River. Joint efforts would result in consistent management decisions and program development. If the river merits designation, the Service would support study and designation on the condition that management prescriptions do not conflict with their goals and policies. (Scott McCarthy, Chief of Planning July 11, 2013)

The Oregon State Parks and Recreation Department (OPRD) has a mission to provide and protect outstanding natural, scenic, cultural, historic, and recreational sites for the enjoyment and education of present and future generations. The State's primary goals are to: 1) Protect the free flowing character of designated rivers for fish, wildlife and recreation, 2) Protect and enhance scenic, aesthetic and natural values, recreation, scientific research, and fish and wildlife qualities, and 3) Protect private property rights. OPRD also manages the Oregon Scenic Waterways program (1970) which closely parallels the Federal WSR program.

The OPRD manages 2,548 acres of land within the Willamette River corridor. The State has expressed a willingness to participate in the planning process of the Federal WSR program. Federal designation could result in dual designation by the State as a State Scenic Waterway. Joint efforts would ensure consistent WSR management decisions and program development (Contact: Jim Morgan, Stewardship Manager, ORPD, Salem Oregon. Aug. 2013. Phone: 503 986-0738).

The ORPD conducts a statewide assessment of outdoor recreation demand, needs, and trends every five years. The Oregon Statewide Comprehensive Outdoor Recreation Plan (SCORP) covers regional recreation use and trends from 2012-2017. SCORP offers the best statewide understanding of outdoor recreation available. The SCORP identifies statewide guidance for the provision of river-based recreation, including those activities available on the Willamette. WSR designation would be largely consistent with OPRD's statewide planning goals for recreation.

<u>Oregon Department of Fish and Wildlife.</u> Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the 1972 Federal CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited" These water bodies must be identified by the Environmental Protection Agency (EPA) or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated this entire segment of the Willamette River as a "protected area" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity, or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

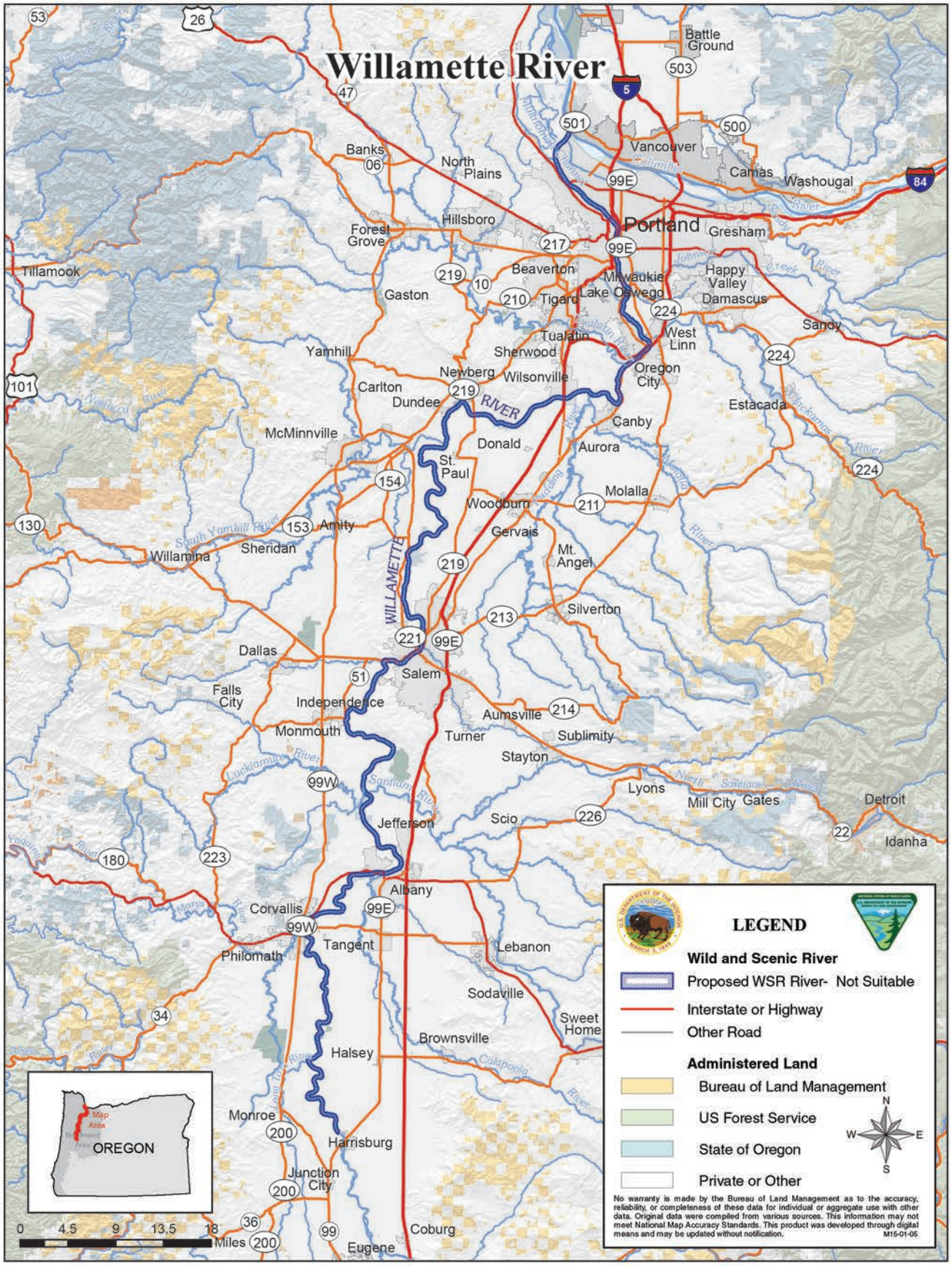
The Willamette River basin includes a number of designated WSR segments including segments in the Clackamas, McKenzie, and Middle Fork Willamette watersheds.

Criteria 13: The potential for water resources development.

Plans to significantly develop water resources within this segment are limited to the area around Willamette Falls.

Willamette River Suitability Determination

Based on the information contained in this study, the BLM Salem and Eugene District finds the Willamette River be **non-suitable inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality and outstandingly remarkable recreation values.


Willamette River
Battle Ground
Vancouver
Camas
Washougal
Portland
Gresham
Hillsboro
North Plains
Banks
Forest Grove
Tillamook
Beaverton
Tigard
Lake Oswego
Milwaukie
Happy Valley
Damascus
Sandy
West Linn
Tualatin
Sherwood
Yamhill
Newberg
Wilsonville
Oregon City
Carlton
Dundee
RIVER
Estacada
Canby
McMinnville
Donald
Aurora
St. Paul
Molalla
Woodburn
Amity
Gervais
Willamina
Sheridan
Mt. Angel
WILLAMETTE
Silverton
Dallas
Salem
Falls City
Independence
Aumsville
Monmouth
Turner
Sublimity
Stayton
Lyons
Mill City
Gates
Detroit
Jefferson
Scio
Idanha
Albany
Corvallis
Tangent
Lebanon
Philomath
Sodaville
Sweet Home
Brownsville
Halsey
Monroe
Harrisburg
Junction City
Coburg
Eugene
OREGON
Map Area
0 4.5 9 13.5 18 Miles
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
State of Oregon
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
M15-01-05

Wilson River Wild and Scenic River Suitability Determination

Table 101. Wilson River Wild and Scenic River suitability.

Segment Name:	**Wilson River**
Segment Description:	Confluence with North Fork Wilson River to Tillamook Bay
Total Segment Length:	30.81 miles
Length on BLM Land:	0 miles
Total Segment Area:	9,322.97 acres:
Area on BLM Land:	108.69 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Recreation, Fish and Wildlife
Description of ORVs:	The eligibility determination for the Wilson River segment was made during the BLMs 1990 land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the Recreation, Fish, and Wildlife ORVs.

Wilson River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Wilson River is a 31-mile long river that drains a portion of the Northern Oregon Coast Range near Tillamook. The river originates at the confluence of its Devil's Lake Fork and its South Fork, the flows generally west through predominately private and state land before emptying into Tillamook Bay.
The Wilson River is a major transportation corridor that contains Oregon Route 6 (the Wilson River Highway). The highway runs parallel to the river and links the Oregon Coast with inland Willamette Valley communities.

Outstandingly Remarkable Values

Recreation: The Wilson River is a popular destination for river-based recreation, especially for a sport fishery that includes spring and fall Chinook salmon, coho salmon, chum salmon, summer and winter steelhead, and cutthroat trout. This fishery regularly attracts visitors from outside of the region as well as local residents. Several commercial outfitter guides are available due to public demand. Whitewater boating opportunities (class II to IV) are available but not noteworthy. Due to the popularity of the angling on this river segment, the recreational value is judged outstandingly remarkable.

Fish: The status of Oregon Coast coho Salmon is "Threatened" under the Endangered Species Act, in addition steelhead is a Bureau Sensitive Species, both species spawn and rear in this segment of the Wilson River. Both a fall and spring run of Chinook are present in the Wilson River in this segment.

Wildlife: Waterfowl production and habitat are outstanding near the mouth of the river. Bald eagles (a BLM sensitive species) routinely forage along this river segment. The lower reaches of the Wilson that are within the forested landscape - above the pasture lands, is located within a very unique and biologically significant area of the Tillamook County and of the North Coast Range. It is situated within a band of forest, approximately two miles wide, which is sandwiched between the 360,000 acre "Tillamook Burn," which was burnt over in a series of four catastrophic fires from 1933 to 1951, and the broad, flat, agricultural Tillamook Bay valley. This narrow band of forest, skirting around the perimeter of "the burn" in roughly a northwest/southeast orientation, contains much of the remaining later seral stage habitat located in that portion of the county. Historical and/or recent logging on Federal, State and private lands within this band have resulted in significant fragmentation, although there are still a few larger tracts of mature timber remaining. The larger tracts of mature forest are located primarily within Kilchis County Park, on BLM lands within the area, and on Oregon Department of Forestry ownership within the Wilson River corridor. It is no coincidence that these later seral stage habitat remnants, rare in this portion of the state, contain a substantial portion of the regions known T&E species sites. At one time, four spotted owl sites, averaging 3 miles apart, occurred and may still occur, along this band of forest, as well as several occupied murrelet sites, which continue on to the north in the same pattern of distribution along the edge of "the burn". This forested band, which the Wilson River bisects, also contains red tree voles (a Federal candidate species). The overall wildlife value of this river segment is outstandingly remarkable.

Other River Values and Characteristics

Scenic: The scenic quality of this segment of the Wilson River corridor has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore judged less than outstandingly remarkable.

Ecological/Botanical: There are no documented occurrences of state or Federal listed rare plant species within the river corridor. Queen-of-the-forest (*Filipendula occidentalis*) occupies several moist creeks, stream banks, and riparian floodplain locations within the corridor. The Oregon Biodiversity Information Center (ORBIC) determined *Filipendula occidentalis* is threatened with extinction throughout its range and ORBIC gave it a List 1 status. Although the botanical resources along the Wilson River are significant they are not outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

River Setting- Access and Development: Along the 30.8-mile Wilson River, ten transportation bridges, one rail road and two pedestrian bridges cross the river. Bridges appear to span the river. A three-wire/two pole power line parallels the river along the entire corridor except for three miles on each end. All trees have been cleared below the power line. It crosses the river 23 times, many of which are not perpendicular, but at transverse angles. Its constant presence has a negative effect on the natural viewsheds along the river. Public access through the river corridor is provided by Highway 6, the Wilson River Highway, for its entire length from Tillamook to the North Fork confluence. Access to the river is legal where Federal, State or County lands border the river. Access to a majority of the actual river may be restricted by private ownership. The alluvial fans and rural setting near Tillamook on the western end diverges into a river canyon corridor with a Roaded Natural setting. Here, the landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. Tillamook

State Forest Lands are managed for production, but are not as actively harvested as local private forest lands. Few cuts should be visible from within the canyon; most harvest areas are over the ridges from the river (2012). The only community within the river corridor is Tillamook. A short segment of the city limit reaches the study corridor.

The Urban setting is characterized by a substantially urbanized environment, although the background may have natural-appealing elements. High levels of human activity and concentrated development, including recreation opportunities are prevalent. Developed sites, roads and other recreation opportunities are designed for high use. The western end of the valley is dominated by agricultural, transportation, residential and business developments which can easily be seen from the river. Some of the development within the ½ mile wide corridor at the canyon mouth include: Wilson River RV Park, Wyld Edge Outfitters, Wild Rain Gallery, Alice's Country House, Ryan Cr. Reservoir and Lee's Camp Store. Developed parks within the corridor are: Elk Cr. Campground, Jones Cr. Campground, So. Fork Forest Camp, Demoley Wilson Co. Park, and Wilson River Hwy. Forest State Park. Many river day-use activities and sites can be seen on the river's edge up the canyon toward the mid-section of the river especially water sports recreationists such as swimmers during the summer months. The river segment is free flowing, with the possible exception of support piers for bridges.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 30.81-mile segment is a combination of Federal, private, county, and State lands (Table 102). One BLM parcel borders the streambed. Three additional parcels do not border any part of the river, but lie within the corridor. Four BLM parcels exist in the corridor. BLM manages 108.69 acres (1.2 percent) within the river corridor.

Table 102. Land ownership within the Wilson River corridor

Ownership	Acres	Percentage
Undetermined	341.23	3.7%
BLM	108.69	1.2%
Local Government	187.76	2.0 %
Private	4,496.57	48.2%
Private Industry	515.21	5.5%
State	3,673.51	39.4%

The Oregon State Water Resources Department records 54 water rights and 61 points of diversion on the 31-mile Wilson River to Tillamook Bay. Run date is June 1. Table 103 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 103. Land ownership within the Tualatin River corridor.

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Ground Water	Irrigation	1	1	0.37	
Storage	Domestic	1	1		0.61

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Surface Water	Agriculture Uses	1	2		
	Anadromous and Resident Fish Rearing	2	2	257.0	
	Domestic	18	19	0.918	
	Domestic Expanded	2	2	0.02	
	Domestic Including Lawn and Garden	5	5	0.08	
	Industrial/Manufacturing Uses	1	1	0.2	
	Irrigation	19	21	6.875	
	Livestock	1	2	0.02	
	Supporting Aquatic Life	5	5	415.0	
			Totals	**680.483**	**0.61**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)
Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment. All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States. Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation
WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.
Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.
Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Wilson River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Should the North Fork Trask be designated, the BLM would likely approach the Oregon Department of Forestry for assistance in managing river-related values. ODF manages over 30% of lands within the river corridor.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing

Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.
If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

Tillamook County has designated the segment of the Wilson River as follows:

- Forest Zone (F)- 52%: This zoning occurs primarily on the eastern end of the river. Tillamook County adopted Forest Zone (F). Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
- Farm Zone (F-1) -26%: This zoning lies primarily on the western end of the river. Tillamook County adopted the Farm zone. Currently, it does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime, the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
- Rural Residential (RR) -12%: Over a dozen parcels are spread along the entire river corridor. The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use;

it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

- Estuary Zone -5%: This zone occurs on the western end of the river leading into Tillamook Bay. General priorities include:
  a) Uses which maintain the integrity of the estuarine ecosystem.
  b) Water-dependent uses requiring an estuarine location, as consistent with the overall Oregon Estuarine Classification.
  c) Water-related uses, which do not degrade or reduce the natural estuarine resources and values.
  d) Non-dependent, non-related uses, which do not alter, reduce or degrade the estuarine resources and values. (http://www.co.tillamook.or.us/gov/comdev/planning/luo.htm)
- Recreation Management (RM) -2%: The purpose of the RM zone is to designate areas for public and private parks and day-use facilities, including such areas that contain significant natural or scenic values. The RM zone is intended to accommodate the type of recreational developments that preserve an area's natural values; it is not intended for intensive recreational developments that do not retain substantial open space on the property.
- Small Farm and Woodlot (SWF-20) -2%: Two small parcels are located near the center and eastern end of the river corridor. Tillamook County adopted SWF-20. Currently, this zone does not conform to current state law (June 2013). Work is underway to align Tillamook County's ordinances with state law. In the meantime the Department is using state law in combination with the Land Use Ordinance in order to guide development on resource lands.
- Small Farm and Woodlot (SWF-10) <1%: A small parcel lies near the center of the river. The purpose of the SFW-10 zone is to permit small-scale farms and large acreage rural residential homesites on land that has potential for small-scale farm or forest uses, but because of limitations it is impractical for the Farm or Forest zone. It also provides a buffer between non-resource uses and lands that are managed for farm or forest uses, thereby assuring that the conversion of such lands to higher density uses occurs in an orderly and economical manner. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)
- Neighborhood Commercial Zone (C1) <1%: The purpose of the NT-C1 zone is to permit a moderate level of commercial activities to serve the commercial needs of neighborhoods, rural areas, and tourist areas.

Commercial uses in the NT-C1 zone typically provide goods and services that would be required by most households in the area, and they have relatively few impacts on neighboring areas. (http://www.co.tillamook.or.us/gov/ComDev/planning/luo.htm)

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of

Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the Wilson River were generally supportive of WSR designation and public access for river-related recreation. Six comments were received specific to this river segment. Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations, and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry (ODF) manages 3,674 acres (39.4%) within the Wilson River corridor in the Tillamook State Forest. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

A majority of land ownership along the western portion of the Wilson River is comprised of private industry and other private land holdings (54%). Commonalities in meeting regional objectives would not be consistent with management prescriptions for a Wild and Scenic River.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include:

- Maintain riparian buffers and minimize impacts from road building on public lands.
- Maintain channel integrity and natural hydrology
- Continue efforts to understand historical range of channel stability and function.
- Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas.

Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. The Director of DEQ and the BLM State Director are responsible for ensuring implementation of the agency's MOU.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Specifically, the Clean Water Act (CWA) is the primary Federal law in the United States governing water pollution. Passed in 1972, the act established the goals of eliminating releases of high amounts of toxic substances into water, eliminating additional water pollution by 1985, and ensuring that surface waters would meet standards necessary for human sports and recreation by 1983. Adjacent land owners and communities have formed watershed councils. The general mission of each is similar by fostering and supporting the protection and enhancement of water quality for the local watershed, including enhancement of flora and fauna resources. Section 303(d) of the CWA requires states to develop a list of rivers, streams, and lakes that cannot meet water quality standards without application of additional pollution controls beyond the existing requirements on industrial sources and sewage treatment plants. Waters that need this additional help are referred to as "water quality limited". These water bodies must be identified by the Environmental Protection Agency or by a delegated state agency. In Oregon, this responsibility rests with the DEQ.

Northwest Power and Conservation Council. The Council has designated this segment as a "protected areas" for anadromous and resident fish or wildlife where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities.

Criteria 12: The contribution to river system or basin integrity.

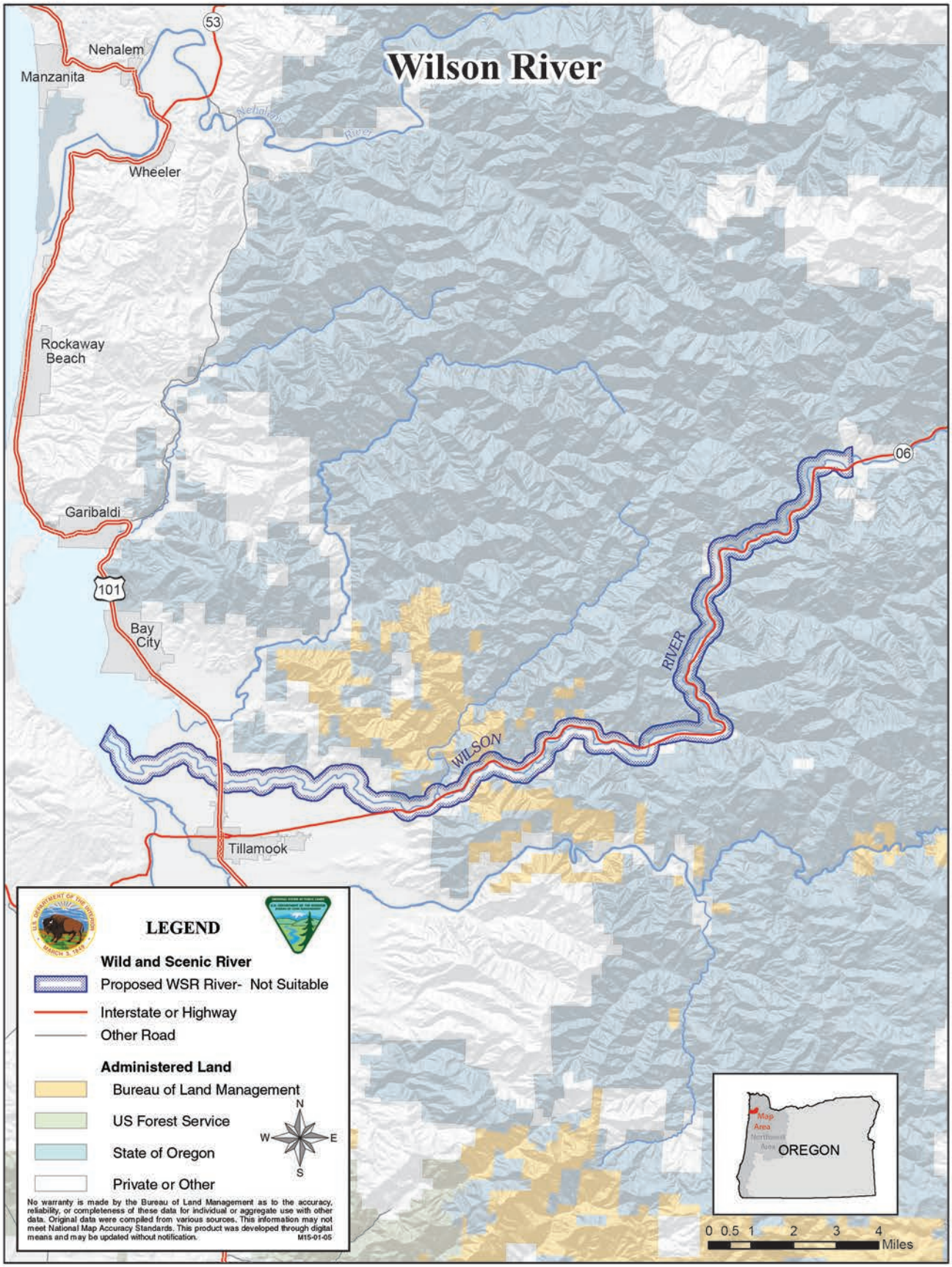
There is no designated Wild and Scenic Rivers within the Wilson River watershed nor have there been any legislative proposals for additional Federal protection of the Wilson River or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Wilson River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Wilson River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality, and outstandingly remarkable recreation values.


Wilson River
53
Nehalem
Manzanita
Nehalem
River
Wheeler
Rockaway
Beach
Garibaldi
101
Bay
City
06
RIVER
WILSON
Tillamook
LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
US Forest Service
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No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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Yaquina River Wild and Scenic River Suitability Determination

Table 104. Yaquina River Wild and Scenic River suitability.

Segment Name:	**Yaquina River**
Segment Description:	Headwaters to confluence with Yaquina Bay
Total Segment Length:	54.38 miles
Length on BLM Land:	1.29 miles
Total Segment Area:	16,232.19 acres
Area on BLM Land:	269.82 acres
Preliminary Classification:	Recreational
Outstandingly Remarkable Values (ORVs):	Fish and Wildlife
Description of ORVs:	The eligibility determination for this segment of the Yaquina River was made during the BLMs 1990 Land use planning study. In order to facilitate a better understanding of the river values, this report includes a description of the fisheries and wildlife ORV's for the Yaquina River segment.

Yaquina River Suitability Factor Assessment

Criteria 1: Characteristics that do, or do not, make the river a worthy addition to the National Wild and Scenic River System.

The Yaquina River is a 54-mile long river that drains an area of Oregon Coast Range east of Newport. It's headwaters are located in the mountainous terrain west of Corvallis in the Siuslaw National Forest along the county line between Benton and Lincoln counties. The river flows south, then generally west before entering the Pacific Ocean at Yaquina Bay.

Outstandingly Remarkable Values

Fisheries: The status of Oregon Coast (OC) coho salmon is "Threatened" under the Endangered Species Act, in addition Oregon Coast steelhead are a Bureau Sensitive Species. Both species rear and migrate through this segment of the Yaquina River. The Yaquina River has been designated Critical Habitat for coho salmon. The Yaquina bay is known to be a migratory area for green sturgeon, an ESA "Threatened" species. Green sturgeon makes migratory movements into the Yaquina bay upstream into the segment to the end of tidal influence. The Yaquina bay is one of four coastal bays designated critical habitat for green sturgeon on the Oregon coast. Chum salmon utilize the lower portion of the segment. Fall Chinook are present in the Yaquina River in this segment as well as cutthroat trout and Pacific Lamprey. The presence of listed species, bureau sensitive species, the rare presence of green sturgeon, and the diversity of salmonid species in the Yaquina River indicate fisheries remains an outstandingly remarkable value.

The historic production of hatchery raised Chinook and coho is no longer occurring and production of hatchery raised winter steelhead is now less than other streams in the region.

Wildlife: The wildlife value is rated as outstanding with extensive waterfowl habitat and high production rates in the lower portion of the river segment. Using the BLM eligibility guidelines, the determination has been made that the wildlife resource of this river segment is indeed of outstandingly remarkable value. Extensive water fowl habitat and high production rates are typical in the lower portion of this segment. The river corridor and estuary are among the top producers of water fowl in the region, and habitat is of exceptionally high quality relative to other areas in the region. No other populations of regionally or nationally important indigenous wildlife species and no threatened or endangered wildlife species are known to inhabit the river corridor. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC)

Other River Values and Characteristics

Botanical: No rare botanical species occur within this river corridor. Therefore, the botanical values in this river corridor are less than outstandingly remarkable. Data for this analysis was obtained from BLM's GeoBOB database and the Oregon Natural Heritage Information Center database (ORNHIC).

Recreation: Due to the poor accessibility, few visitors travel from outside the North Coast region to use this river for recreational purposes. The overall recreational value is there judged less than outstandingly remarkable.

Cultural: There is one known cultural site within the river corridor. A National Register of Historic Places eligibility has not been completed on the site at this time, however it does not appear to be rare, one-of-a-kind, or unusual, so is not considered outstandingly remarkable. The overall cultural value is therefore rated as less than outstanding (interview, Leland Gilson, 6-12-90).

Scenic: The scenic quality of the segment has received a "B" rating as defined in the Visual Resources Handbook, 11-8410-1. The scenic value of this river corridor is therefore determined less than outstandingly remarkable.

River Setting- Access and Development : Along the 54.3-mile Yaquina River, approximately 18 bridge crossings, 13 railroad crossings and 4 pedestrian bridge crossings traverse the river. Public access through the river corridor and to the river is available from roads that parallel the river for most all of its course, including Yaquina Bay Road, Elk City Road, Highway 20 in the center section and highways 180 and 410 on the eastern end. Other private or county forest roads are found throughout the area. However, the last six miles of the easternmost end of the river have no road along the river. The only roads are those proving access to timber plots. The eastern sections of riverbed lie within a densely forested setting, but adjacent hillsides show evidence of timber management. The dominant uses of the landscape are of timber harvest practices, but are not as intensive and frequent at other parts of western Oregon. The setting is Roaded Natural. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate. A meandering network of timber access roads wind throughout the adjacent mountainsides. Varying stages of timber harvest can be seen in the background. Most all of the river's riparian zone has been left with a buffer on each side of the river. Communities within the study segment include Toledo, Elk City, Chitwood, Eddyville and Nashville. Approximately 4 miles of

new road is being constructed through the forest for straighter access and replacement of a 7.5 mile section of Highway 20. The new section will not follow the Yaquina River.

Toledo had a population of 3,500 in 2000; the others are smaller rural communities. The Rural setting is characterized by a substantially modified natural environment. Opportunities to affiliate with others are prevalent. Sights and sounds of man are readily evident, and the concentration of users is often moderate to high. Developed sites, roads, and trails are designed for moderate to high uses. The western end of the river is within 2 miles of Newport, Oregon. This segment of river has developments in the corridor including oyster farms, Toledo State Airport, Toledo water treatment facility, a pulp mill, quarry and adjacent tree farms and other agricultural crops to the river. The Cannon Quarry Co. Park is a developed recreation site. Business and residential developments are very light on this western end. The river segment is free flowing.

Criteria 2: The status of land ownership and use in the area.

Land ownership for this 54.38-mile segment is a combination of Federal, private, County, State, Bureau of Indian Affairs, Water, and undetermined lands (Table 105). Two BLM parcels cross the riverbed for ownership on both sides. One parcel does not border the riverbed. There are three total BLM parcels, which lie on the eastern half. BLM manages 269.82 acres (1.7 percent) within the river corridor. The BLM manages 1.29 miles (23.7 percent) of shoreline.

Table 105. Land Ownership within the Yaquina River corridor.

Ownership	Acres	Percentage
Bureau of Indian Affairs	24.37	0.2%
BLM	269.82	1.7%
Local Government	67.89	0.4%
Private	6,554.81	40.4%
Private Industry	6,283.02	38.7%
State Dept. of Forestry	926.59	5.7%
Division of State Lands	149.11	0.9%
Undetermined	93.08	0.6%
Water	1,863.51	11.5%

The Oregon State Water Resources Department records 34 water rights and 49 points of diversion on the 54-mile Yaquina River segment from the headwaters to Yaquina Bay. Run date is June 1. Table 106 below shows water types and uses. It is not advisable to count columns because one water right may have several points of diversion (POD) and/or several use types. This may result in double counting the rights.

Table 106. Land ownership within the Tualatin River corridor.

Water Right Type	Use	Water Rights	PODs	Rate Sum (CFS)	Area Sum (Acre Ft.)
Storage	Multiple Purpose	1	1		9.8
Surface Water	Anadromous and Resident Fish Rearing	2	2	74.7	
	Domestic	10	11	0.0922	
	Domestic Expanded	3	3	0.03	
	Domestic Including Lawn and Garden	3	3	0.03	
	Industrial/Manufacturing Uses	2	3	0.5	
	Irrigation	12	19	1.838	
	Irrigation and Domestic	1	1		
	Livestock	1	3	0.0024	
	Supporting Aquatic Life and Recreation	3	3	62.0	
			Totals	**139.1926**	**9.8**

Criteria 3: The reasonably foreseeable potential uses of the land and water that would be enhanced, foreclosed, or curtailed if the area were included in the National System.

Uses That Would Be Enhanced By Designation (including Outstandingly Remarkable Values)
With designation, BLM's management presence would increase. Designation would enhance fish and wildlife values by protecting water quality and preserving in-channel habitat.

Uses That Would Be Foreclosed by Designation
Designation would prohibit development of hydroelectric power facilities. Currently, there is no Federal Energy Regulatory Commission (FERC) application for dams or diversions on file for this river segment.

All public lands within the authorized boundaries of a designated component of the National Wild and Scenic Rivers system would be withdrawn from entry, sale, or disposition under the public laws of the United States.

Water right status and future applications may be limited with designation.

Uses That Would Be Enhanced, Foreclosed or Curtailed by Non-Designation
There could be a greater potential for adverse effects upon this river's Outstandingly Remarkable Values if the river were not designated. Through less funding and direct management focus on critical values. There could also be the possibility of hydroelectric project development including dams or impoundments, more water rights issued, and side channel mineral extraction and exploration.
The scenic and wildlife values along this segment likely would not be diminished or foreclosed if the segment was not designated. Other management requirements and tools (discussed in #9) provide a layer of protection for these values. These mechanisms will apply regardless of whether the segment receives WSR designation by Congress.

If the river were not added to the National Wild and Scenic Rivers System, BLM and other government entities would continue to manage and protect lands under their jurisdiction for the natural resource and historical values along the river corridor. The Outstandingly Remarkable Values would not be diminished or lost by such management. Public lands outside the riparian zone would be subject to timber management prescriptions, excluding protective wildlife areas.

Uses That Would Be Curtailed By Designation

WSR designation could lead to the application of a higher water quality standard for timber harvesting upstream from the designated component of the NWSRS. New mining claims could be located, however, valid claims located after the designation date could be patented only as to the mineral estate. The Mineral Leasing Act of 1920 provides that all publicly owned oil and gas resources be open to leasing, unless a specific land order has been issued to close the area.

Designation of eligible or study rivers into the National Wild and Scenic Rivers system could affect private land use and development. Effects include compliance with county zoning regulations as well as stipulations of scenic easements, if acquired. Stipulations may also limit vegetation management practices, and establish requirements regarding maintenance and development of private lands. Compliance measures to existing laws and regulations may be more consistently and routinely monitored and enforced.

Designation would limit the types of road maintenance activities that occur on BLM-administered land that may have a direct and adverse impact on in-channel conditions.
Projects such as forest management, discretionary ROW approvals and recreation development on BLM-administered land could be limited or foreclosed if the projects degrade river values (ORV's, free flow or water quality).

In-channel projects on private land that have direct Federal involvement (such permitting or funding) would require evaluation under the "direct and adverse" standard of WSR ACT section 7. Projects such as bank stabilization, bridge replacement or utility construction could be limited or foreclosed based on this evaluation.

Criteria 4: The Federal agency that will administer the area should it be added to the National System.

If the Yaquina River segment was added to the National Wild and Scenic Rivers System, the BLM would be most suited to manage the land and resources within this boundary, unless Congress designated another agency.

Criteria 5: The extent to which the agency proposes that administration of the river including the costs thereof, is shared by state and local agencies.

Based on the extremely low level of Federal ownership within the river corridor, the BLM would pursue local and state government entities for assistance in administration of the river.

Criteria 6: The estimated cost of the United States of acquiring necessary lands or interests in land within the corridor, as well as the cost of administering the area should it be added to the National System.

Administrative Costs: It is not expected that Wild and Scenic River designation would substantially increase management costs in this river corridor due to the present costs of complying with existing Federal laws and policies. Potential management activities associated specifically with WSR management could include water quality sampling, targeted monitoring activities, and preparation of Section 7 determinations for in-channel projects. No detailed cost analysis or estimate was prepared as part of this study.

Land Acquisition: At this time, it is not expected that the BLM would pursue land acquisition from willing sellers. Because the majority of the land within the segment corridor is privately owned, it would be difficult for the BLM to acquire enough additional land to affect the manageability of the segment. No detailed cost analysis or estimate was prepared as part of this study.

Criteria 7: A determination of the extent that other Federal Agencies, the State, or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion into the National System.

Coordination with several subdivisions of the state of Oregon, including the Department of Environmental would be pursued should the river be designated. In addition, cooperative efforts would continue with these State agencies as participants in suitability study of eligible rivers and the development of river management plans for designated WSRs.
If the river were not added to the National Wild and Scenic Rivers System, Federal, State and local land management agencies could continue to protect land under their jurisdiction for the riparian values and

Outstandingly Remarkable Values along the river area under existing laws, authorities, and ordinances. Public lands outside the riparian zone would be subject to existing laws, regulations, and timber management prescriptions, excluding protective wildlife areas. For example, Oregon water laws and appropriative water right procedures administered by the Oregon Water Resources Department (OWRD) would continue oversight of water use for domestic and agricultural purposes including rural residential use, forestry, agricultural use, and irrigation.

Criteria 8: An evaluation of local zoning and other land use controls in protecting the river's outstandingly remarkable values and preventing incompatible development.

The Yaquina River lies in three Counties: Lincoln (92%), Benton (5%) and Polk (3%).
Lincoln County has designated zones along the Yaquina River as:

- Timber Conservation (54%)
- Agricultural Conservation (36%)
- Rural Residential (3%)
- Urban–Toledo (2%)
- Planned Industrial (2%)

- Residential (1%)
- Public Facilities (1%)
- Planned Marine (1%)

All of the smaller zoned parcels are located around the western end of the Yaquina River near Toledo and in the small community of Eddyville. Timber Conservation goals in Lincoln County are to conserve forest land for forest uses. Forest lands are retained for the production of wood fiber and other forest uses. Lincoln County recognizes the need for ownership consolidation in maximizing the forest objectives of individual forest land owners and encourages and cooperates in the process of land exchanges between the various owners and allows residences in association with forest uses within forest zones.

Agricultural Conservation lands goals are to preserve and maintain agricultural lands and to conserve and improve the existing commercial agricultural enterprise within the area. Lincoln County preserves and maintains agricultural land for farm use consistent with existing and future needs for agricultural products, forest and open space. Where rural residences can be accommodated on land within agricultural areas not suited for agriculture or commercial timber production, such residences are allowed if they pose no threat of conflict with prevailing farm and forest practices.

Benton County has designated zones along the Yaquina River as: Exclusive Farm Use (65%), Forest Conservation (35%).

The Exclusive Farm Use Zone (EFU) shall preserve and protect lands for continued and future commercial agricultural production and related uses, and conserve and protect open space, wildlife habitats, and other uses associated with agriculture. Except as otherwise provided by this code, the Exclusive Farm Use Zone shall preserve and maintain areas classified for farm use free from conflicting nonfarm uses and influences.

The Forest Conservation Zone shall conserve forest lands, promote the management and growing of trees, support the harvesting of trees and primary processing of wood products, and protect the air, water, and wildlife resources in the zone. Further zone information: http://gis.co.benton.or.us/ZoningMap/index.htm
Polk County has designated zones along the Yaquina River as: Timber Conservation (100%).
The Timber Conservation (TC) Zoning District is intended to:

- Conserve, protect, and encourage the management of forest lands for continued timber production, harvesting and related uses;
- Conserve and protect watersheds, soil, fish and wildlife habitats and other such uses associated with forests;
- Provide for orderly development through planned development of both public and private recreational uses as appropriate and not in conflict with the primary intent of the zone for timber management;
- Recognize that the forest lands within the County are necessary for the continuous production of renewable natural resources in the form of forest crops and as such, are beneficial to the economy of the County and to the welfare of its people.

Criteria 9: The State/local government's capacity to manage and protect the outstandingly remarkable values on non-Federal lands.

A variety of local, State, and Federal agencies and commercial, private, and nonprofit entities have a role in planning for, providing, and managing recreation and open space resources and services in the State of Oregon.

The Federal government cannot manage or regulate private lands within designated wild, scenic, or recreational river corridor and has no zoning authority over these lands under the Act. The Federal government's authority to influence private land management practices could be through land acquisition or exchange, or development of a cooperative agreement to achieve common goals.

The State of Oregon regulates actions on many resources on private lands. These include-

Oregon Department of Forestry – This department is responsible for administration of the State Forest Practices Act and associated rules. The FPA and forest practice rules apply to any of the following activities that are part of the commercial growing and harvesting of trees on private and public lands:

- Timber harvest,
- Road construction and maintenance,
- Slash treatment,
- Reforestation, and
- Pesticide and fertilizer use

Oregon Department of Geology and Mineral Industries – Oregon requires that any mineral exploration that disturbs more than one surface acre or involves drilling to greater than 50 feet must obtain an exploration permit from the Oregon Department of Geology and Mineral Industries. Mining operations involving 5,000 or more cubic yards of material per year or disturbing one or more acres of land also requires an operating permit.

Oregon State Water Resources Department – OWRD's mission is to serve the public by promoting responsible water management. Its goals are to address Oregon's water supply needs and to restore and protect stream flows and watersheds to ensure long-term sustainability of Oregon's ecosystems, economy, and quality of life. OWRD is charged with carrying out the water management policies and rules and overseeing the enforcement of Oregon's water law.

The Oregon Parks and Recreation Department (ORPD) has a mandate to identify and clarify public and private-sector outdoor recreation roles throughout the state. SCORP 2008-2012 p. 236 Besides providing recommendations to the Oregon State Park System for its own operations, administration, planning, development, and recreation programs, it also provides guidance for the Local Grant, County Opportunity Grant, Recreational Trails and All-Terrain Vehicle Programs. These programs extend onto private and public lands. The plan provides guidance for the Land and Water Conservation Fund (LWCF) program and information and recommendations to guide Federal, state, and local units of government, as well as the private sector, in making policy and planning decisions. These programs have objectives and goals to

preserve and protect natural, cultural, or historic resources owned or managed by the state on private lands, or through cooperative agreements with private landowners.

The State of Oregon, through the Oregon Department of Environmental Quality, has established water quality standards "not to be exceeded" for all waters of the state. These standards are provided to protect the beneficial uses of the water. Standards are published in the Oregon Administrative Rules, Chapter 340, Division 41 of the Department of Environmental Quality (DEQ). Specific beneficial uses of Oregon's rivers and streams include municipal drinking water; irrigation and domestic residential drinking water; salmon rearing and spawning; and resident fish and aquatic life.

Criteria 10: The existing support or opposition of designation.

During the winter of 2013, the BLM initiated a multi-phase outreach strategy to engage the public specifically on eligible wild and scenic rivers within the western Oregon RMP project area. The BLM looked to gain a better understanding of the social values associated with river users across western Oregon. This strategy included an interactive web based survey and a series of regional workshops across four western Oregon locations, that involved the participation of the National Park Service-Rivers, Trails and Conservation Assistance program, the Association of O&C Counties, the Outdoor Alliance, Travel Oregon, the Umpqua Confederated Tribe, and the Mazamas. The BLM engaged nearly 300 participants throughout the four recreation workshops and received 232 river specific comments via an online survey. A summary of the key findings from this outreach effort can be found at:

http://www.blm.gov/or/plans/rmpswesternoregon/files/key-findings.pdf

Public comments associated with the Yaquina River were generally mixed. Three comments were submitted specific to this river segment, commenting about the river's fisheries and tidal values, as well as opposing a restriction on powerboat use. Overall public interest in designating this segment would most likely be divided. Support would likely come from hunters, recreationists, environmental groups, and others who use the area for non-consumptive purposes. Opposition would likely come from the mineral, and oil and gas proponents who may view designation as potentially restricting exploration and extraction within the river corridor.

The Association of O&C Counties represents the interests of Counties in Western Oregon within which lie the BLM managed O&C lands. They support certain rivers for suitability; however, they do not support most. The Association has represented County interests in legislative and administrative actions concerning management of BLM lands for over 80 years, well before the creation of the BLM. They follow the O&C Act which states that timber on the O&C lands shall be managed with timber thereon sold, cut and removed on a sustained yield basis "for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities."

The Association of O&C Counties has joined a bipartisan coalition to support a plan and proposed legislation called the O*&C Trust, Conservation, and Jobs Act*. This Act anticipates creating thousands of new jobs in Oregon's forested communities, ensuring the health of Federal forests for future generations,

and providing long-term funding certainty for Oregon's rural schools, roads, and law enforcement agencies. The Bill includes the addition of 150 miles of Oregon rivers to the Wild and Scenic Rivers Act. However, **this river is not identified; therefore is not likely to be supported for suitability or designation** due to the mandate in the O&C Act for timber production (Conversation with Doug Robertson, President, Association of O&C Counties, June 27, 2013).

Criteria 11: The consistency of designation with other agency plans, programs, and policies in meeting regional objectives.

The Oregon Department of Forestry (ODF) manages 6.1 acres (0.04%) within the Luckiamute River corridor. ODF is directed to manage State Forest and Common School Lands for the greatest permanent value, including healthy, productive, and sustainable forest ecosystems that over time and across the landscape, providing a full range of social, economic and environmental benefits to the people of Oregon. Forests are intensively managed for sustainable forest ecosystems. Other benefits result from managing properly functioning aquatic habitats for salmonids, and other native fish and wildlife habitat; productive soil, and clean air and water; protection against floods and erosion; and recreation. While there may be some degree of overlap among some of the management objectives, ODF has determined that a WSR designation for forests and rivers managed by ODF would be inconsistent with the statutory and constitutional standards ODF is directed to uphold. (letter dated July 26, 2013). Specific inconsistencies exist between the Wild and Scenic River program (recreational class) and ODF State Forest management prescriptions.

The majority of land ownership along this river consists primarily of private and private industry land holdings (79%). Current uses and private management practices would not be consistent with management prescriptions for a Wild and Scenic River designation due to the development and uses identified in Criteria 1.

Oregon Department of Fish and Wildlife. Designation of this river segment as Wild and Scenic would meet the goals of the Oregon Department of Fish and Wildlife's "Oregon Conservation Strategy". This document identifies freshwater aquatic habitats as a Strategy Habitat throughout the state. Applicable statements mentioned in the strategy include: Maintain riparian buffers and minimize impacts from road building on public lands. Maintain channel integrity and natural hydrology; Continue efforts to understand historical range of channel stability and function. Minimize conversion of riparian vegetation and offset the loss of habitat through on-site restoration or long-term protection and management of remaining areas. Water is crucial for all fish and wildlife, and high quality freshwater aquatic systems provide essential habitat to many at-risk species, including important spawning and rearing habitat for salmonids, breeding habitat for amphibians, and habitat for freshwater mussels and other invertebrates.

Oregon Department of Environmental Quality. The DEQ is the chief regulatory agency of the government of the U.S. state of Oregon responsible for protecting and enhancing the state's natural resources and managing sanitary and toxic waste disposal. The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM has signed a Memorandum of Understanding with the DEQ in 2011 that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations.

Programs, plans and entities that represent consumptive uses, such as mining, oil and gas, forestry and agricultural users, would see a limitation of uses and control measures, which may adversely affect their production, economic stability, or social goals.

Outside of WSR designation, there are other laws that require protection of natural resources. The Endangered Species Act and the Clean Water Act are two Federal laws, which are meant to provide for the recovery and preservation of endangered and threatened species and the quality of the nation's waters. The BLM is required to assist in implementing these two laws.

Northwest Power and Conservation Council. The Council has designated the Yaquina River as "protected areas" for resident and anadromous fish where the Council believes that hydropower development would have unacceptable risks of loss to fish species of concern, their productive capacity or their habitat. This designation does not prohibit future hydropower development, however under the Northwest Power Act and the Federal Power Act, Federal entities—specifically the Bonneville Power Administration, Federal Energy Regulatory Commission, U.S. Army Corps of Engineers, and the Bureau of Reclamation—must take Protected Area status and restrictions into account to the fullest extent practicable at all relevant stages of decision-making processes when making decisions regarding hydroelectric facility permits and access to electricity from those facilities. WSR designation would be consistent with the NPCC's protected designation for this river segment.

Criteria 12: The contribution to river system or basin integrity.

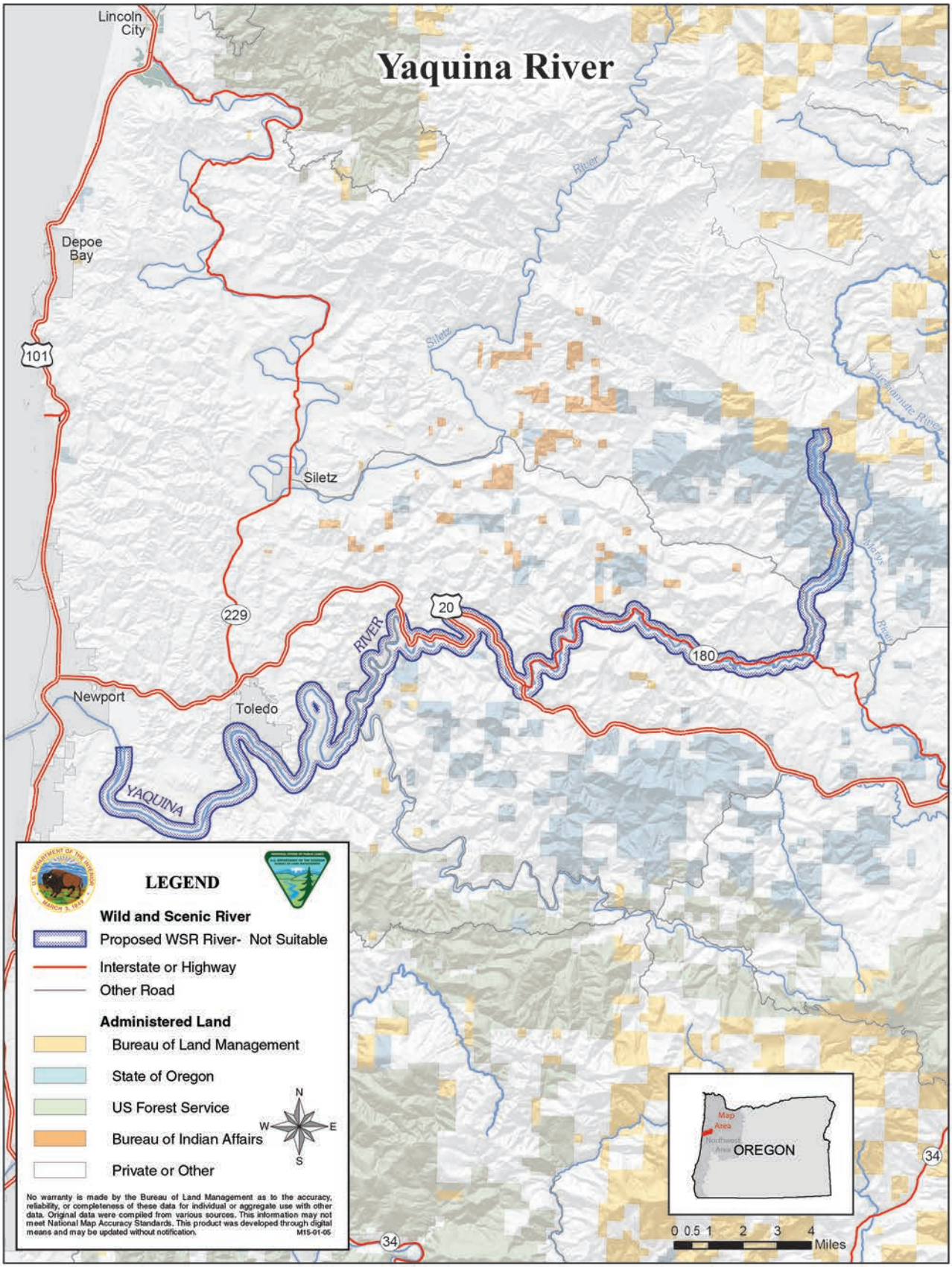
There is no designated Wild and Scenic Rivers within the Yaquina River watershed nor have there been any legislative proposals for additional Federal protection of the Yaquina River or its tributaries.

Criteria 13: The potential for water resources development.

No plans for significant water development in the segment were identified during this study.

Yaquina River Suitability Determination

Based on the information contained in this study, the BLM Salem District finds the Yaquina River to be **non-suitable for inclusion** into the National Wild and Scenic Rivers System. The makeup of this segment hinders the BLM's ability to manage it effectively as a WSR. The BLM-managed portions of the segment are fragmented and the overall percentage of Federal ownership within the river corridor is extremely low. In addition, it has been determined that one or more non-compatible land uses exists within the river corridor. Therefore, it has been determined that wild and scenic river designation would not be best method for protection of the rivers' free flowing condition, water quality and outstandingly remarkable recreation values.


Yaquina River
Lincoln City
Depoe Bay
101
Siletz
Siletz
229
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180
RIVER
YAQUINA
Newport
Toledo
34
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LEGEND
Wild and Scenic River
Proposed WSR River- Not Suitable
Interstate or Highway
Other Road
Administered Land
Bureau of Land Management
State of Oregon
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Bureau of Indian Affairs
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United States Department of the Interior
Bureau of Land Management - Oregon & Washington
1220 SW 3rd Avenue
Porland, OR 97204

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, $300

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NATIONAL SYSTEM OF PUBLIC LANDS
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